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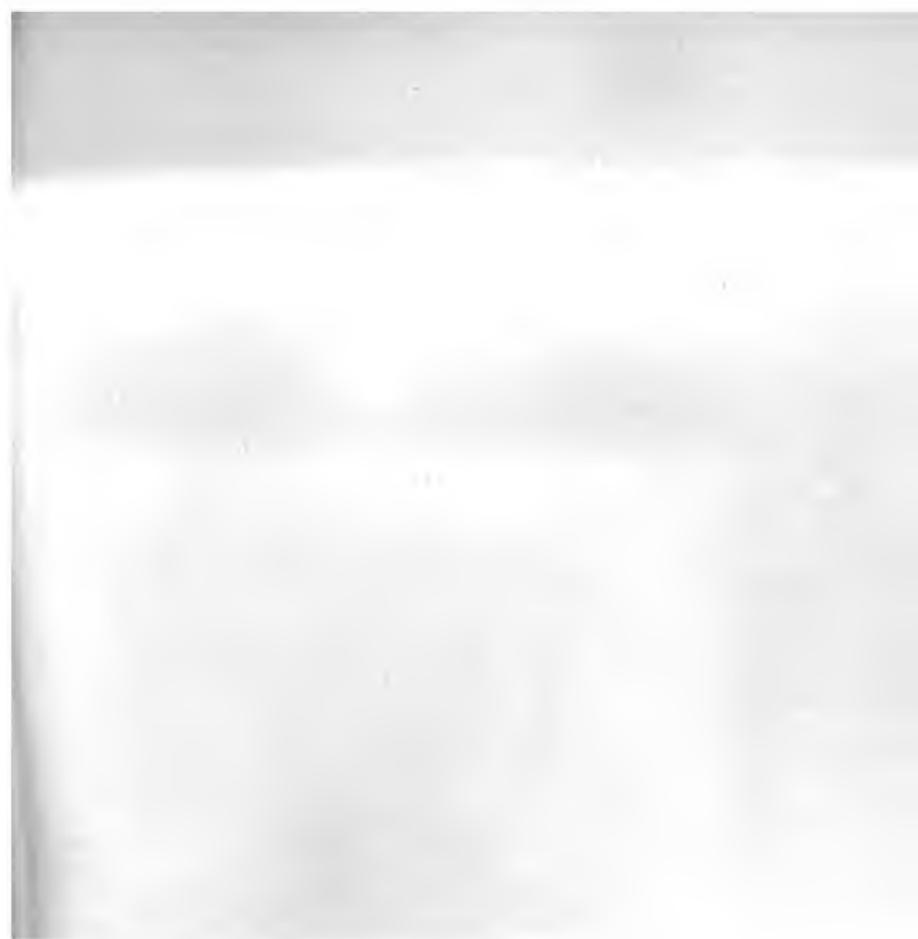
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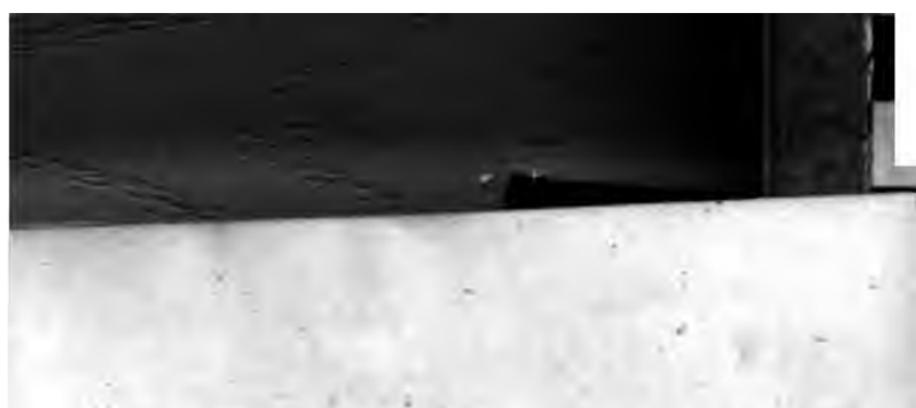


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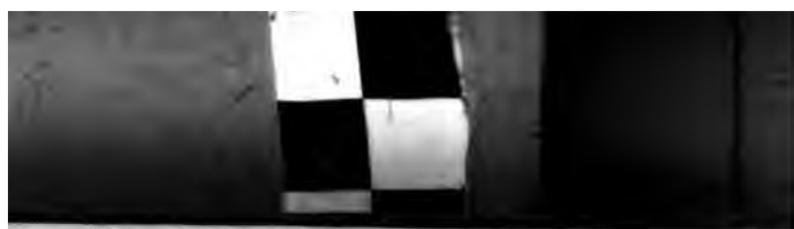
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THE
POLITICIAN's CREED;
OR,
POLITICAL EXTRACTS:

BEING
AN ANSWER TO THESE QUESTIONS,

What is the best Form of Government?

AND

*What is the best Administration of a
Government?*

• BY A LOVER OF SOCIAL ORDER.

VOL. I.

Price

There are three things which *every one* presumes to know, whether he has
studied them or not, viz. MEDICINE, POLITICS, and THE ART OF
MENDING A DULL FIRE.

DR. BEDDOES.

L O N D O N:

Printed for ROBINSONS, Paternoster-Row; T. COX, St. Thomas's-street,
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DEDICATION.

TO

WILLIAM WILBERFORCE, Esq. M. P.

SIR,

My design in these POLITICAL EXTRACTS, is *impartially to investigate the advantages and disadvantages of the different forms of Government, which have prevailed previous to the establishment of our present HAPPY CONSTITUTION*; and to allege arguments, drawn from the best authorities, for giving a preference to our MIXED FORM, as being most favourable to the freedom and permanent happiness of the governed; and, I trust, that my conclusions will appear to you, Sir, and to other minds, equally pure and

unprejudiced, as the fair and honest result of comprehensive and liberal inquiry. I have foreborn entering, as I had first intended, into the consideration of the American and French Republics; as the former is an infant state, whose population and luxury have not yet reached the limits; and the latter, still continuing a struggle of contending factions (resembling much the unhappy records of ancient republics), has not, and perhaps, never will be settled, and therefore can form no data for reasoning on modern republicanism. In the other volumes I have ventured upon a truly sublime subject, more suited to talents and virtues, such as you are known to possess which is, *the management of a state, so as to produce the greatest general security and happiness*; and in this arduous attempt, I may have appeared deficient, or much to have erred, I trust that the generous heart will excuse my failure, in con-

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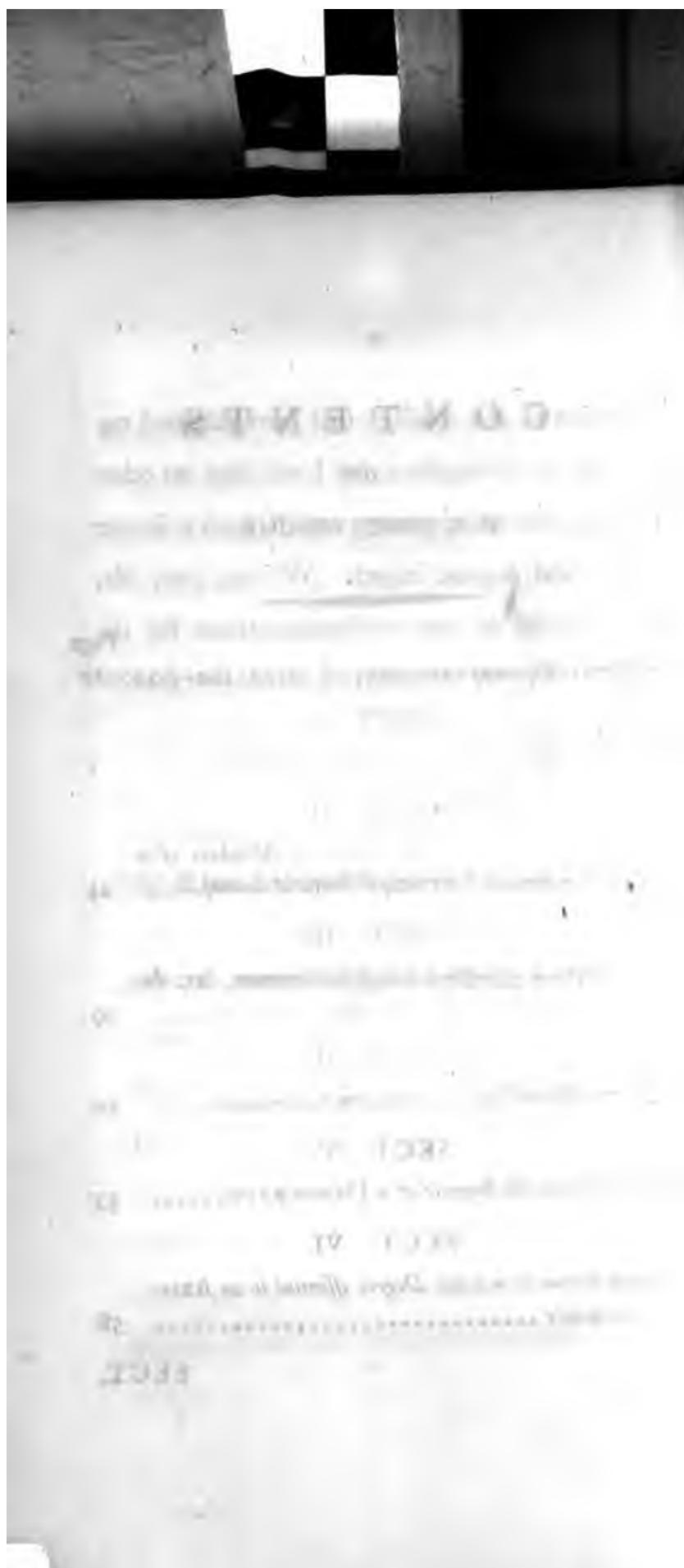
sideration of the motives that have actuated my conduct in this inquiry; for I can have no other wish but that of approving myself both a sincere patriot and a good subject. Wishing you, Sir, every success in your uniform exertions for the welfare of your country, I have the honour to be,

SIR,

With the utmost Esteem, Veneration, and Respect,

Your obedient humble Servant, &c. &c.

December 1, 1798.



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PREFACE.

P R E F A C E.

It is a *question* with several, whether there be *any essential difference* between *one FORM OF GOVERNMENT* and *another*? or, whether *every FORM* may not become *good* or *bad*, according as it is *well* or *ill administered*?—Were it once admitted, that *ALL governments* are *alike*, and that the *only difference* consists in the *character* and *conduct* of *the governors*, most *political disputes* would be at *an end*, and all *zeal* for *one constitution* above *another* must be esteemed *mere bigotry* and *folly*.—But, though a friend to *moderation*, I cannot, says *HUME*, forbear condemning this sentiment, and should be sorry to think, that *human affairs* admit of *no greater stability*, than what they receive from the *casual humours* and *characters* of *particular men*.

It is true, those who maintain, that the *goodness* of all governments consists in the *goodness* of the *administration*, may cite many particular instances in history, where the *very same government*, in *different bands*, has varied suddenly into the two *opposite extremes* of *good* and *bad*.—Compare the French government under HENRY IV.—Oppression, levity, artifice, on the part of the *rulers*; faction, sedition, treachery, rebellion, disloyalty, on the part of the *subjects*: these compose the character of the former miserable æra. — But when the patriotic and heroic prince, who succeeded, was once firmly seated on the throne, the *government*, the *people*, every thing, seemed to be *totally changed*; and all from the *difference* of the *temper and sentiments* of *these two sovereigns*.—Instances of *this kind* may be *multiplied*, almost *without number*, from *ancient* as well as *modern history*, *foreign* as well as *domestic*.

But here it may be proper to make a *distinction*.—All ABSOLUTE GOVERNMENTS must very much

much depend on the *administration*; and this is one of the greatest inconveniences attending that form of government.—But a REPUBLICAN OR MIXED GOVERNMENT would be an obvious absurdity, if the particular *checks* and *controuls*, provided by the *constitution*, had really *no influence*, and made it not the *interest*, even of *bad men*, to *act* for the *public good*.—Such is the intention of these forms of government, and such is their REAL EFFECT, where they are WISELY CONSTITUTED: as, on the other hand, they are the *source of all disorder*, and of the *blackest crimes*, where either *skill* or *honesty* has been wanting in their original *frame* and *institution* *.

So great is the force of laws, and of particular forms of government, and so little dependence have they on the *humours* and *tempers* of men, that *consequences* almost as *general* and *certain* may some-

* The present constitution in France can hardly be called a *mixed form* of government, it has no balance of interests and powers.—It is a *pure republic*, although *representative*, and a sad example of the truth of the above remark.

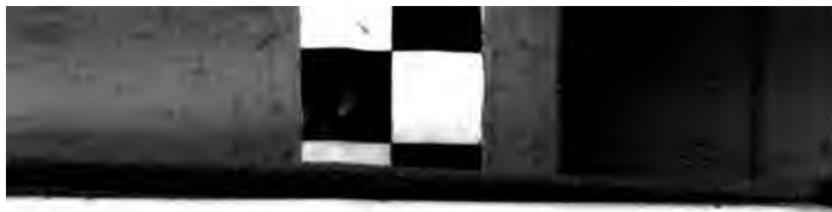
In the POLISH government *every nobleman*, by means of his fiefs, has a *distinct* hereditary authority over his vassals, and the *whole body* has no authority but what it receives from the concurrence of its parts.

The different operations and tendencies of these two species of government might be made apparent even a priori.—A VENETIAN nobility is preferable to a POLISH, let the humours and education of men be ever so much varied.—A nobility, who possess their power in *common*, will preserve peace and order, both among themselves, and their subjects; and no member can have authority enough to controul the laws for a moment.—The nobles will preserve their authority over the people, but without any grievous tyranny, or any breach of private property; because such a tyrannical government promotes not the interest of the whole body, however it may that of *some individuals*.—There will be a distinction of rank between the nobility and people, but this will be

the

the only distinction in the state.—The *whole nobility* will form *one body*, and the *whole people another*, without any of those *private feuds* and *animosities*, which spread *ruin* and *desolation* *every where*.—It is easy to see the *disadvantages* of a *POLISH nobility* in *every one* of *these particulars*.

It is possible so to constitute a **FREE GOVERNMENT**, as that *a single person*, call him *doge*, *prince*, or *king*, who shall possess a *large share* of *power*, shall form a proper *balance* or *counterpoise* to the other parts of the legislature.—*This chief magistrate* may be either *elective* or *hereditary*; and though the *former* institution may, to a *superficial view*, appear the *most advantageous*, yet a *more accurate inspection* will discover in it *greater inconveniences* than in the *latter*, and such as are founded on causes and principles *eternal* and *immutable*.—**THE FILLING OF THE THRONE**, IN **SUCH A GOVERNMENT**, IS A POINT OF **TOO GREAT AND TOO GENERAL INTEREST**, NOT TO



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DIVIDE THE WHOLE PEOPLE INTO FACTIONS: WHENCE A CIVIL WAR, THE GREATEST OF ILLS, MAY BE APPREHENDED, ALMOST WITH CERTAINTY, UPON EVERY VACANCY.—The *prince elect* must be either a *foreigner* or a *native*: the former will be ignorant of the people whom he is to govern; suspicious of his new subjects, and suspected by them; giving his confidence entirely to strangers, who will have no other care but that of enriching themselves in the quickest manner, while their master's favour and authority are able to support them.—A native will carry into the throne all his private animosities and friendships, and will never be viewed in his elevation, without exciting the sentiment of envy in those, who formerly considered him as their equal.—Not to mention, that a crown is too big a reward ever to be given to merit alone, and will always induce the candidates to employ force, or money, or *intrigue*, to procure the votes of the electors: so that such an election will give no better chance for superior merit in the prince, than if

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if the state had trusted to *birth alone* for determining *their sovereign*.

It may therefore be pronounced as an *universal axiom in politics*, THAT AN HEREDITARY PRINCE, A NOBILITY WITHOUT VASSALS, AND A PEOPLE VOTING BY THEIR REPRESENTATIVES, FORM THE BEST MONARCHY, ARISTOCRACY, AND DEMOCRACY.—But in order to *prove* more fully that POLITICS ADMIT OF GENERAL TRUTHS, which are *unchangeable* by the *humour* or *education* either of *subject* or *sovereign*, it may not be amiss to observe some other *principles* of this science, which may seem to deserve *that character*.

There are two great tyrannies, the *tyranny of a despot*, and that of a *multitude*.—Of these the most dreadful is *republican tyranny*.—The *despot* may receive the just blow, and fall from his high elevation, nothing is required but the arm of a Brutus: but the destruction of the *many-headed monster* is an *Herculean labour*.



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In *despotic states*, as well as in *republics*, the downfall of the ministers of government is usually effected by the death of the parties.—In the *former*, they quietly yield up their breath; in the *latter*, the struggle is attended with a dreadful convulsion, and the superior faction gains the ascendancy after a mighty carnage.

Situated *between the two stands*, our **MIXED FORM OF GOVERNMENT**, a GOVERNMENT *nicely poised between* THE EXTREMES of TOO MUCH LIBERTY and TOO MUCH POWER, where an unsuccessful and improvident minister is displaced without the loss of life, and the murder of friends, and where the several parts of the CONSTITUTIONS are so framed, that they serve as a check to each other; a CONSTITUTION, where the king is clothed with a power, that enables him to do all the good he has a mind to; and wants no degree of authority, but what a good prince would not, and an ill one ought not to have: where he governs, though not absolute-

ly, yet gloriously, because he governs men; and not slaves; and is obeyed by them cheerfully, because they know that, in obeying him, they obey those laws only which they themselves have had a share in contriving.

It is undoubtedly very natural for men to think *that form of government* the best, under which they draw their first breath, and to propose it as a model and standard for all others.—But, if any people upon earth have a just title thus to boast, it is *we of this island*; who enjoy a **CONSTITUTION**, *wisely moulded, out of all the different forms and kinds of civil government, into such an excellent and happy frame, as contains in it all the advantages of their several forms, without sharing in any of their great inconveniencies.*

Our **MIXED FORM of GOVERNMENT** is authorized by lawyers, admired by strangers, recommended by divines, acknowledged by politicians, acquiesced in, nay passionately cherished,
by

by the people in general; and all this during a period of at least a hundred and eighty years.—This general consent surely, during so long a time, must be sufficient to render any constitution legal and valid: if the origin of all power be derived, as is alledged, from the people; here is *their consent* in the fullest and most ample terms that can be derived or imagined.—We must be all sensible that the plan of liberty is settled; its happy effects are proved by experience; a long tract of time has given it stability.—We must be sensible, that public liberty, with internal peace and order, has flourished almost without interruption: trade and manufactures, and agriculture, have increased: the arts and sciences, and philosophy, have been cultivated.—Even religious parties have been necessitated to lay aside their mutual rancour: and the glory of the nation has spread itself over Europe; derived equally from our progress in the arts of peace, and from our valour in war.—So long and so glorious a period no nation almost can boast of: nor is there another instance in the whole history

tory of mankind, that so many millions of people have, during such a space of time, been held together, in a manner so free, so rational, and so suitable to the dignity of human nature.

Legislators, therefore, ought not to trust the government of a state entirely to chance, but ought to provide a system of laws to regulate who are to administer public affairs to the latest posterity.—Effects will always correspond to causes; and wise regulations in any commonwealth are the most valuable legacy that can be left to future ages.—In the smallest court or office, the stated forms and methods, by which business must be conducted, are found to be a considerable check on the natural depravity of mankind.—Why should not the case be the same in public affairs?—Can we ascribe the stability and wisdom of our MIXED CONSTITUTION, through so many ages, to any thing but the form of government?—And is it not easy to point out those defects in the ORIGINAL CONSTITUTION, which produced the tumultuous governments of ATHENS and of ROME,



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Rome, and ended at last in the *ruin* of these two famous *republics*?

HERE, THEN, IS A SUFFICIENT INDUCEMENT TO MAINTAIN, WITH THE UTMOST ZEAL, THOSE FORMS AND INSTITUTIONS, BY WHICH LIBERTY IS SECURED, THE PUBLIC GOOD CONSULTED, AND THE AVARICE OR AMBITION OF PARTICULAR MEN RESTRAINED.

ORIGIN

PART I.

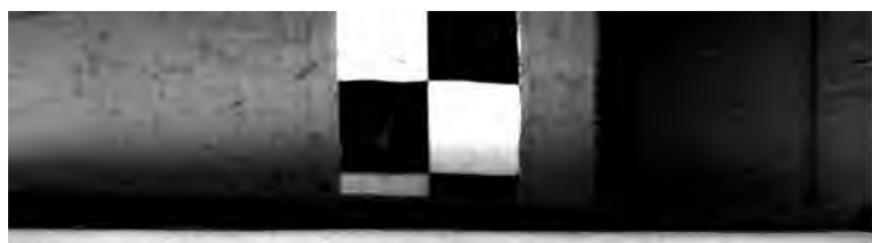
POLITICAL DISQUISITIONS

ON THE

ADVANTAGES AND DISADVANTAGES

OF

DIFFERENT GOVERNMENTS.





ORIGIN OF GOVERNMENTS.

SECT. I.

PATERNAL AUTHORITY;

OR,

FIRST STAGE OF SOCIETY.

AMONG savages, who are strangers to the art of writing, and who have scarcely any method of recording facts, the experience and observation of each individual are almost the only means of procuring knowledge; and the only persons who can attain a superior degree of wisdom and sagacity, are those who have lived to a considerable age.—In all barbarous countries *old men* are therefore universally respected, and attain superior influence and authority.

Among the *Grecians*, at the siege of Troy, the man who had lived three ages was treated with uncommon deference, and was their principal adviser and director in all important deliberations.

VOL. I.

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“ Dost thou not see, O Gaul,” says MORNI, in one of the poems of Ossian, “ how the steps of my age are honoured? MORNI moves forth, and the young meet him with reverence, and turn their eyes, with silent joy, on his course *.”

The Jewish lawgiver, whose system of laws was, in many respects, accommodated to the circumstances of an early people, has thought proper to enforce the respect due to old age, by making it even the subject of a particular precept.—“ See that thou rise up before the hoary head, and honour the face of the old man †.”

So inseparably connected are age and authority in early periods, that in the language of rude nations the same word which signifies an *old man* is generally employed to denote a *ruler* or *magistrate* ‡.

Among the *Chinese*, who, from their little intercourse with strangers, are remarkably attached to their ancient usages, the art of writing, notwithstanding their improvement in manufactures, is still beyond the reach of the vulgar.—This people have accordingly preserved that

* Vide the Poem of Ossian by Macpherson.

† Leviticus, chap. xix. ver. 32.

‡ In the language of the Arabs, see D'Arvieux trav. Arab.—This also is the case in the German and most of the modern languages of Europe.

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high admiration of the advantages arising from *long experience* and *observation*, which we commonly meet with in times of ignorance and simplicity.—Among them, neither birth, nor riches, nor honours, nor dignities, can make a man forget that reverence which is due to *grey bairs*; and we are told, that the sovereign himself never fails to respect *old age*, even in persons of the lowest condition*.

We may easily imagine that this admiration and reverence, which is excited by wisdom and knowledge, must, in a particular manner, affect the *conduct* of *children* with respect to their father.—The experience of the father must always appear greatly superior to that of his children, and becomes the more remarkable, according as he advances in years, and decays in bodily strength.—He is placed in a situation where that experience is constantly displayed to them, and where, being exerted for their preservation and welfare, it is regarded in the most favourable light.—From him they learn those contrivances which they make use of in procuring their food, and the various stratagems which they put in practice against their enemies.—By him they are instructed in the

* The art of printing and writing has greatly tended to abolish this respect in more enlightened countries.

different branches of their domestic œconomy, and are directed what measures to pursue in all those difficulties and distresses in which they may be involved.—They hear, with wonder, the exploits he hath performed, and the precautions which he hath used in former times to avoid the evils with which he was surrounded, or the address and dexterity which he hath employed to extricate himself from those misfortunes which had befallen him; and, from his observation of the past, they are enabled to learn useful lessons of prudence, for the regulation of their future conduct and behaviour.—If ever they depart from his counsel, and follow their own headstrong inclination, they are commonly taught by the event to repent of their folly and rashness, and are struck with new admiration of that uncommon penetration and foresight which he appears to possess.—They look upon him as a superior being, and imagine that the gifts of fortune are at his disposal.—They dread his curse, as the cause of every misfortune; and they esteem his blessing of more value than the richest inheritance.

In the Iliad, when PHÆNIX is sent on a message to Achilles, he bewails his misfortune in having no children

dren of his own, and imputes it to the curse of his father, which he had incurred in his youth.

My sire with curses loads my hated head,
And cries, " Ye furies ! barren be his bed !"
Infern^{al} Jove, the vengeful fiends below,
An^d ruthless PROSPERINE confirmed his vow.

HOMER.

" And Esau said unto his father, Hast thou but one
" blessing, my father ? Bless me, even me also, O ! my
" father.—And Esau lift up his voice and wept *."

To these observations we may add, that the authority of the father is confirmed and rendered more universal, by the force and influence of *custom*.

We naturally retain, after we are old, those habits of respect and submission which we received in our youth ; and we find it difficult to put ourselves upon a level with those persons whom we have long regarded as greatly our superiors.—The slave, who has been bred up in a low situation, does not immediately, upon obtaining his freedom, lay aside those sentiments which he has been accustomed to feel.—He retains for some time the idea of his former dependence ; and, notwithstanding the change of his circumstances, is disposed to con-

* Genesis, xxvii. 38.

tinue

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tinue that respect and reverence which he owed to his master.—We find, that the legislature, in some countries, has even regarded and enforced these natural sentiments.—Among the *Romans* a freed man was, through the whole of his life, obliged to pay to his patron what was called “*obsequium et reverentia* ;” and which consisted in attendance upon him on public occasions, and in shewing him certain marks of honour and distinction.—If ever he failed in the observance of these duties, he was thought unworthy of his liberty, and was again reduced to be the slave of that person to whom he had behaved in so unbecoming a manner*.

A son, who has been accustomed from his infancy to serve and to obey his father, is in the same manner disposed for the future to continue that service and obedience.—Even after he is grown up, and has arrived at his full strength of body, and maturity of judgment, he retains the early impressions of his youth, and remains, in a great measure, under the yoke of that authority to which he hath hitherto submitted.—He shrinks at the angry countenance of his father, and trembles at the power of that arm whose severe discipline he has so often

* Vide Heinecii *antiq. Roman.* lib. 9. sect. 1. *Dig. de op. lib. sect. 1.* *Inst. de cap. diminut. 1. un. Cod. de ingrat. liber.*

expe-

experienced, and of whose valour and dexterity he has so often been a witness.—He thinks it the highest presumption to dispute the wisdom and propriety of those commands to which he has always listened, as to an oracle, and which he has been taught to regard as the infallible rule of his conduct.—He is naturally led to acquiesce in that jurisdiction which he has seen exerted on so many different occasions, and which he finds to be uniformly acknowledged by all the members of the family.—In proportion to the severity and rigour with which he is treated, his habits of submission become the stronger, and his implicit obedience is esteemed the more indispensably necessary.—He looks upon his father as invested by heaven with an unlimited power and authority over all his children; and imagines that, whatever they may suffer from his arbitrary conduct, their rebellion against him, or resistance to his will, would be the same species of impiety, as to call in question the authority of the Deity, or to quarrel with those severe dispensations of Providence with which, in the government of the world, he is sometimes pleased to visit his creatures.

From these dispositions, which commonly prevail among the members of his family, the father can have

no difficulty to enforce his orders, wherever compulsion may be necessary.—In order to correct the depravity, or to subdue the unruly temper of any single child, he can make use of that influence which he possesses over the rest, who will regard the unnatural behaviour of their brother with horror and detestation, and be ready to contribute their assistance in reducing him to obedience, or in punishing his transgression.

In the history of early nations, and even of those which have made some advances in refinement, we meet with a great variety of *facts* to illustrate the *nature* and *extent* of that jurisdiction and authority which originally belonged to the father, as the head and governor of his family.

We are told, by CÆSAR, that among the *Gauls* the father had the power of life and death over his children *; and there is reason to believe, that, among the ancient *German nations*, he was invested with the same unlimited jurisdiction †.

According to the customs which took place among the early inhabitants of *Arabia*, it would seem, that, in like manner, the father was under no restraint in the

* *Cæs. de bell. Gall. lib. 6.*

† *See Heineccius elem. jur. German.*

nistration and government of his family.—When the sons of JACOB proposed to carry their brother BENJAMIN along with them into Egypt, and their father discovered an unwillingness to part with him, “ REUBEN spake unto his father, saying, Slay my two sons, “ if I bring him not to thee: deliver him into my “ hand, and I will bring him to thee again *.”

Among the *Tartars*, nothing can exceed the respect and reverence which the children usually pay to their father.—They look upon him as the sovereign lord and master of his family, and consider it as their duty to serve him upon all occasions.—In those parts of Tartary which have any intercourse with the great nations of Asia, it is also common for the father to sell his children of both sexes; and from thence the women and eunuchs, in the harems and seraglios belonging to men of wealth and distinction in those countries, are said to be frequently procured †.

Upon the coast of *Africa*, the power of the father is carried to the most excessive pitch, and exercised with the utmost severity.—It is too well known to be denied,

* *Genesis*, xlii. 37.

† *Histoire generale des voyages*, tom. 9.—*Chardin*, tom. 1.

that, in order to supply the European market, he often disposes of his own children for slaves ; and that the chief part of a man's wealth is supposed to consist in the number of his descendants.—Upon the slave coast, the children are accustomed to throw themselves upon their knees, as often as they come into the presence of their father*.

The following account, which is given by Commodore BYRON, may serve, in some measure, to shew the spirit with which the savages of *South America* are apt to govern the members of their family.

Here, says he, I must relate a little anecdote of our christian Cacique.—He and his wife had gone off, at some distance from the shore, in their canoe, when she dived for sea-eggs ; but not meeting with great success, they returned a good deal out of humour.—A little boy of theirs, about five years old, whom they appeared to be doatingly fond of, watching for his father and mother's return, ran into the surf to meet them : the father handed a basket of sea-eggs to the child, which being too heavy for him to carry, he let it fall ; upon which the father jumped out of the ca-

* *Histoire generale des voyages*, tom. 5. liv. 10. chap. 3.

II

noe, and catching the boy up in his arms, dashed him with the utmost violence against the stones.—The poor little creature lay motionless and bleeding, and in that condition was taken up by the mother, but died soon after.—No one seemed to reprobate the conduct of the father.—He appeared, to the bystanders, only to exercise his right.

Such was the *power* which, in early times, appears to have been uniformly possessed by the *head of a family*.—But the progress of a people in civilization and refinement has a natural tendency to limit and restrain this primitive jurisdiction.

In those rude and simple periods, when men are chiefly employed in hunting and fishing, in pasturing cattle, or in cultivating the ground, the children are commonly brought up in the house of their father; and continuing in his family as long as he lives, they have no occasion to acquire any separate property, but depend entirely for subsistence upon that hereditary estate, of which he is the sole disposer and manager.—Their situation, however, in this as well as in many other respects, is greatly altered by the introduction of commerce and manufactures.—In a commercial coun-

try, a great part of the inhabitants are employed in such a manner as tends to disperse the members of a family, and often requires that they should live at a distance from each other.—The children, in their early youth, are obliged to leave their home, in order to be instructed in those trades and professions by which it is proposed they should earn a livelihood, and afterwards to settle in those parts of the country which they find convenient for prosecuting their several employments.—In consequence of this they are withdrawn, and in a great measure emancipated from their father's authority.—They are now in a condition to procure a maintenance without having recourse to his bounty, and by their own labour and industry are sometimes advanced to great wealth and opulence.—They live in separate families of their own, of which it is requisite they should have the entire direction; and being placed at such a distance from their father, that he has no longer an opportunity of observing and controuling their behaviour, it is to be expected that their former habits will gradually be laid aside and forgotten*.

WHEN WE EXAMINE THE LAWS AND CUSTOMS OF POLISHED NATIONS, WE ARE CONFIRM-

* Millar.

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ED IN THE TRUTH OF THE FOREGOING REMARKS,
AND HAVE REASON TO CONCLUDE, THAT, IN
MOST COUNTRIES, THE PATERNAL JURISDICTION
HAS BEEN REDUCED WITHIN NARROWER BOUNDS,
IN PROPORTION TO THE IMPROVEMENTS OF SO-
CIETY.

SECT.

SECT. II.

OF THE AUTHORITY OF A CHIEF OVER THE
MEMBERS OF A TRIBE OR VILLAGE;

OR,

SECOND STAGE OF SOCIETY.

HAVING considered the primitive state of a single family of savages, we may now examine the changes which happen in their situation, after the death of the father, and the different species of authority to which they are commonly subjected.

When the members of a family become too numerous to be maintained and lodged all in the same house, some of them are under the necessity of leaving it, and providing themselves with a new habitation.—The sons, having arrived at the age of manhood, and being disposed to marry, are led by degrees to have a separate residence, where they may live in a more comfortable manner.—They build their huts very near one to another, and each of them forms a distinct family; of which

which he assumes the direction, and which he endeavours to supply with the means of subsistence.—Thus the original society is gradually enlarged into a village or tribe; and, according as it is placed in circumstances which favour population, and render its condition prosperous and flourishing, it becomes proportionably extensive, and is subdivided into a greater multiplicity of branches.

From the situation of this early community it is natural to suppose, that an uncommon degree of attachment will subsist between all the different persons of which it is composed.—As the ordinary life of a savage renders him hardy and robust, so he is a stranger to all those considerations of utility, by which, in a polished nation, men are commonly induced to restrain their appetites, and to abstain from violating the possessions of each other.—Different clans or tribes of barbarians are therefore disposed to rob and plunder one another, as often as they have an opportunity of doing it with success; and their reciprocal inroads and hostilities are the source of continual animosities and quarrels, which are prosecuted with a degree of fury and rancour suitable to the temper and dispositions of the people.—Thus the members of every single clan are frequently at variance with

with all their neighbours around them ; and are obliged to be constantly upon their guard, in order to repel the numerous attacks to which they are exposed, and to preserve themselves from that severe and barbarous treatment, which they have reason to expect, if they should fall under the power of their enemies.—As they are divided from the rest of the world, so they are linked together by a sense of their common danger, and by a regard to their common interest.—They are united in all their pastimes and amusements, as well as in their serious occupations ; and when they go out upon a military enterprize, they are no less prompted to shew their friendship for each other, than to gratify their common passions of enmity and resentment.—As they have been brought up together from their infancy, and have no intercourse with those of a different community, their affections are raised to a greater height, in proportion to the narrowness of that circle to which they are confined.—As the uniformity of their life supplies them with few occurrences, and as they have no opportunity of acquiring any great variety of knowledge, their thoughts are the more fixed upon those particular objects which have once excited their attention, they retain more steadily whatever impressions they have received

taived, and become the more devoted to those entertainments and practices with which they have been familiarly acquainted.

Hence it is, that a savage is never, without difficulty, prevailed upon to abandon his family and friends, and to relinquish the sight of those objects to which he has been long familiar.—To be banished from them is reckoned the greatest of all misfortunes.—His cottage, his fields, the faces and conversation of his kindred and companions, incessantly recur to his memory, and prevent him from relishing any situation where these are wanting.—He clings to those well-known objects, and dwells upon all those favourite enjoyments which he has lost.—The poorer the country in which he has lived, the more wretched the manner of life to which he has been accustomed, the loss of it appears to him the more insupportable.—That very poverty and wretchedness, which contracted the sphere of his amusements, is the chief circumstance that increases his attachment to those few gratifications which it afforded, and renders him ~~he more~~ a slave to those particular habits which he hath acquired.—Not all the allurements of European luxury could bribe a Hottentot to resign that coarse manner of life which ~~was~~ become habitual to him; and we may

remark, that the “maladie du pays,” which has been supposed peculiar to the inhabitants of Switzerland, is more or less felt by the inhabitants of all countries, according as they approach nearer to the ages of rudeness and simplicity.

As those clans or villages, which inhabit the more uncultivated parts of the earth, are almost continually at war with their neighbours, and are obliged to be always in a posture of defence, so they have constant occasion for a *leader* to conduct them in the various military enterprizes in which they are engaged.

It may be remarked, that wherever a number of people meet together in order to execute any measures of common concern, it is convenient that *some person* should be appointed to direct their proceedings, and prevent them from running into confusion.—It is accordingly a general regulation, which appears to be uniformly adopted in all countries, that every public assembly should have a *president*, invested with such a degree of authority as is suitable to the nature of the business committed to their care.—But in no case is a regulation of this kind so necessary, as in the conduct of a military expedition.—There is no situation in which a body of men are so apt to run into disorder, as in war; where it

it is impossible that they should co-operate, and preserve the least regularity, unless they are united under a *single person*, who is empowered to direct their movements, and to superintend and controul their several operations.

As the members of a family have been usually conducted by the father in all their excursions of moment, they are naturally disposed, even when their society becomes more enlarged, to continue in that course of action to which they have been accustomed; and, after they are deprived of this *common parent*, to fall under the guidance of some *other person*, who appears next to him in rank, and possesses the greatest share of their esteem and confidence.

Superiority in strength, courage, and other personal accomplishments, is the first circumstance by which any *single person* is raised to be the *leader of a clan*, and by which he is enabled to maintain his authority.

In those rude periods, when men live by hunting and fishing, they have no opportunity of acquiring any considerable property; and there are no distinctions in the rank of individuals, but those which arise from personal qualities.

The strongest man in a village, the man who excels

in running, in wrestling, or in handling those weapons which they make use of in war, is possessed of an evident advantage in every contest that occurs, and is hereby exalted to superior dignity.—In their games and exercises he is generally victorious, and becomes more and more distinguished above all his companions.—When they go out to battle, he is placed at their head, and occupies that station which is held of the greatest importance.—His exploits and feats of activity are viewed with pleasure and admiration ; and he becomes their boast and champion in every strife or contention in which they are engaged.—The more they have been accustomed to follow his banner, they contract a stronger attachment to his person, and discover more readiness to execute those measures which he thinks proper to suggest.—They imagine that his greatness reflects honour upon the society to which he belongs, and are disposed to magnify his prowess with that fond partiality which they entertain in favour of themselves.—According as he advances in reputation, he acquires more weight in their debates, and is treated upon every occasion with greater respect and deference.—As they are afraid of incurring his displeasure, so are they eager to distinguish themselves in his eye, and, by their valour and fidelity,

to

to procure marks of his peculiar approbation and esteem.
 “ Illum defendere, tueri, sua quoque fortia facta gloriæ
 “ ejus assignare, præcipuum sacramentum est.—Prin-
 “ cipes pro victoria pugnant, comites pro principe *.”

Among the natives in some parts of the continent of South America, it is customary, in their military expeditions, to make choice of that person for their leader, who is superior to all his companions in *bodily strength*; and this point is usually determined according to the burden which he is able to carry †.

* Tacitus de mor. German.

† *Nouveaux voyages aux Indes Orientales*, tom. iii.—Upon the same principle, the captain of an expedition is frequently chosen from the number of wounds he has received in battle. Ibid. tom. i.

It has even been remarked, that all animals which live in herds or flocks are apt to fall under the authority of a single leader of superior strength or courage.—Of this a curious instance is mentioned by the author of Commodore Anson's voyage.—“ The largest sea-lion,” says he, “ was the master of the flock; and, from the number of females he kept to himself, and his driving off the males, was styled by the seamen the bashaw.—As they are of a very lethargic disposition, and are not easily awakened, it is observed, that each herd places some of their males at a distance in the manner of sentinels, who always give the alarm whenever any attempt is made either to molest or approach them, by making a loud grunting noise like a hog, or snorting like a horse in full vigour.—The males had often furious battles with each other, chiefly about the females; and the bashaw just mentioned, who was commonly surrounded by his females, to which no other male dared to approach, had acquired that distinguished pre-eminence by many bloody contests, as was evident from the numerous scars visible in all parts of his body.”

But

usually transmits his fortune to his posterity, and along with it all the means of creating dependence which he enjoyed.—Thus the son, who inherits the estate of his father, is enabled to maintain an equal rank, while, at the same time, he preserves all the influence acquired by the former proprietor, augmented and handed down from one generation to another.

Hence that regard to *genealogy* and *descent* which we often meet with among those who have remained long in a pastoral state.—From the simplicity of their manners, they are not apt to squander or alienate their possessions; and the representative of an ancient family is naturally disposed to be ostentatious of a circumstance which contributes so much to increase his power and authority *.

For the same reason the dignity of the chief, which in a former period was frequently *elective*, is now suffered more commonly to pass from father to son by *hereditary succession*.—As the chief possesses the largest estate, so he represents the most powerful family in the tribe; a family from which all the rest are vain of being descend-

* All the Tartars, of whatever country or religion, have an exact knowledge of the tribe from which they are descended, and carefully preserve the remembrance of it from one generation to another.—Although the tribes are often divided into many branches, each branch is considered as belonging to the same tribe.—*Histoire générale des voyages*, tom. ix. liv. 3. chap. 3. p. 33.

ed, and the superiority of which they have been uniformly accustomed to acknowledge.—He enjoys not only that rank and consequence which is derived from his own opulence, but seems entitled to the continuance of that respect and submission which has been paid to his ancestors; and it rarely happens that any other person, though of superior abilities, is capable of supplanting him, or of diverting the course of that influence which has flowed so long in the same channel, and has become so irresistible by custom.

As the chief man, from his experience, wisdom, and wealth, is naturally engaged in protecting and securing the members of his tribe from the hostile attacks of their neighbours, so he endeavours to prevent those disorders and quarrels which may sometimes arise among themselves, and which tend to weaken and disturb the society.—When a dispute or controversy happens among those who belong to different families, he readily interposes by his good offices, in order to bring about a reconciliation between the parties; who at the same time, if they choose to avoid an open rupture, may probably be willing to terminate their difference by referring it to his judgment.—In order to render his decisions effectual, he finds it necessary, at first, to employ persuasion and

THUS IT WAS, THAT, UPON THE RUINS OF THE WESTERN EMPIRE, THERE AROSE IN EVERY PROVINCE PARTICULAR CHIEFS OR BARONS, WHO LIVED IN SEPARATE DISTRICTS, INDEPENDENT OF ONE ANOTHER, AND EACH OF WHOM PROCURED A NUMBER OF VASSALS OR MILITARY TENANTS, AND BECAME GREAT AND POWERFUL IN PROPORTION TO THE ESTATE WHICH HE POSSESSED.—THIS APPEARS TO HAVE BEEN THE FIRST STEP TOWARD THE INTRODUCTION OF THAT SYSTEM OF FEUDAL GOVERNMENT, WHICH WAS AFTERWARDS ESTABLISHED AND SOON BROUGHT TO PERFECTION IN MOST OF THE COUNTRIES OF EUROPE.

SECT.

SECT. III.

THE ORIGIN OF DIFFERENT KINDS OF
GOVERNMENT;

or,

THE MORE ADVANCED STAGE OF SOCIETY.

THE improvement of agriculture, as it increases the quantity of provisions, and renders particular clans or tribes more numerous and flourishing, so it obliges them at length to send out colonies to a distance, who occupy new seats wherever they can find a convenient situation, and are formed into separate villages, after the model of those with which they were formerly acquainted.— Thus, in proportion as a country is better cultivated, it comes to be inhabited by a greater number of distinct societies, whether derived from the same or from a different original, agreeing in their manners, and resembling each other in their government and institutions.

These different communities being frequently at war, and being exposed to continual invasions from their

their neighbours, are in many cases determined, by the consideration of their mutual interest, to unite against their common enemies, and to form a variety of combinations, which are more or less permanent, according as they are influenced by particular circumstances.—Those people who have found the advantage of joining their forces in one expedition, are naturally disposed to continue the like association in another, and by degrees are encouraged to enter into a general defensive alliance.—The intercourse which they have maintained in *war*, is not entirely dissolved even in time of *peace*.—Though originally strangers to each other, yet, having many opportunities of assembling in their military enterprizes, they cannot fail to contract an acquaintance, which becomes the source of their future correspondence.—They have frequent opportunities of meeting in their common sports and diversions.—The leading men of different villages entertain one another with rustic hospitality and magnificence; intermarriages begin to take place between their respective families; and the various connexions of society are gradually multiplied and extended.

From a simple confederacy of this kind, an **ARISTOCRATICAL GOVERNMENT** is naturally established.—As

every village, or separate community, is subjected to its own leader, it is to be supposed that, in their joint measures, the several chiefs, when united together, will enjoy an influence correspondent to that which they have separately acquired over their own particular dependents; and that the frequent meeting and deliberation of those distinguished personages will at length give rise to a regular assembly, invested with power and authority to determine in all the important affairs of the society.

The same circumstances, however, which influence the members of a single clan to be guided by a particular person in their smaller expeditions, render a similar expedient yet more necessary in conducting a numerous army, composed of different clans, often disagreeing in their views, and little connected with each other.—Some **ONE LEADER** is therefore entrusted with the supreme command of their united forces; and the same influence, by which he was first raised to that dignity, enables him frequently to maintain it during *life*, and even in many cases to render it *hereditary*.—In this manner a **GREAT CHIEF OR KING** is placed at the head of a nation, and claims, by degrees, the inspection and super-

superintendence of various branches of the public administration.

But, notwithstanding the rank and pre-eminence enjoyed by this *primitive sovereign*, his authority at first is far from being considerable.—The chiefs, who retain all their original influence over their respective tribes, and who are jealous of a superior, are disposed to allow him no higher prerogatives than are requisite to answer the purposes for which he was created.—Though, in a day of battle, his power may extend over the whole people, yet on other occasions it is for the most part limited to his own particular clan ; and though in the field his orders are not to be disputed, yet in the council public measures are determined by the majority of voices, and the king is little more than the president of the meeting.—After the conclusion of an expedition, when the different clans have retired to their separate places of abode, they are almost entirely withdrawn from his influence, and live under the protection of their several leaders, to whose jurisdiction and authority they are totally subjected.

Such are the uniform accounts which have been given by travellers concerning the government of those kingdoms,

doms, either upon the coast of *Africa*, or in the countries belonging to *Asia*, in which a number of distinct tribes or villages are but imperfectly united together*.

But the most *noted examples* of that species of government, which arises from the first union of different clans, occurs in the early history of the modern kingdoms of Europe.—It has already been observed, that when the *German nations* subdued the western empire, the land was divided among a variety of chiefs, or heads of families, who distributed a part of their estates among their dependents and retainers, over whom they exercised an almost unlimited authority.—These *barons* were altogether independent of each other, and possessed a degree of rank and power, in proportion to the number of vassals which they were able to maintain.—Their possessions, which they had obtained by lot, or occupied without opposition, were entirely at their disposal, and descended to their posterity by hereditary succession.—They acknowledged no superior but the king, to whom they were only liable in military services.

* *Histoire générale des voyages*, 4to. tom. iv. liv. 8. chap. 3. sect. 4.—*Ibid.* tom. v. liv. 9. chap. 7. sect. 7.—*Ibid.* liv. 10. chap. 2. 6.—See *Caillard's collection of voyages*, vol. i. p. 67, 68.

The *king*, or *chief*, in all measures of importance was obliged to act with the concurrence of an *assembly*, composed of the *leading men* in the country.—Such were the *ancient parliaments* of France, the *Corts* in Spain, and the *Wittenagemote* in England.—With their advice he determined what enterprizes should be undertaken ; and, according to their resolutions, every *baron* was obliged, under severe penalties, to appear in the field at the head of his *vassals*.—In these assemblies it was usual to divide the plunder which had been gained by the army, to make such regulations as were intended to be effectual over the whole community, and to decide, in the last resort, the lawsuits which arose between the members of different baronies.

The *Roman* and *Greek states* were originally of small extent, and the inhabitants, being collected in one city, were led in a short time to cultivate an acquaintance, and to incorporate in one society.—The *policy*, which was easily established in such a limited territory, put a stop to those divisions so prevalent among neighbouring tribes of barbarians.—The animosity of different families was no longer cherished by reciprocal acts of hostility ; they were on the contrary united, on all occasions,

sions, against the common enemies of the state ; and as they had every incitement to maintain an intimate correspondence with each other, the distinctions of families were soon extinguished and forgotten.—The power of the chiefs, or nobility, which depended upon the attachment of their respective clans, was therefore quickly destroyed ; and the monarch, who remained at the head of the nation without a rival to counterbalance his influence, had no difficulty in extending his authority over the whole of his dominions.

The *more extensive states of Europe*, erected by the Gothic nations, were placed in a different situation.—The numerous inhabitants, scattered over a wide and often inaccessible country, were for a long time prevented from having much intercourse with each other, and from correcting their ancient rude and barbarous customs.—The several tribes who had entered into an alliance were not thereby induced to lay aside their former jealousies and feuds ; and though sometimes united under a king in common expeditions, they were no less frequently divided by their private quarrels, and excited to follow their several barons in the commission of mutual inroads and depredations.—*Thus*

every kingdom was composed of a great variety of parts, loosely combined together, and for several centuries may be regarded as a collection of small independent societies, rather than as one great political community.—The slow advances which were afterwards made by the people towards a more complete union, appear to have been productive of that feudal subordination which has been the subject of so much investigation and controversy.

. In those times of violence and disorder, when different families were so frequently at war, and lying in wait for opportunities to plunder and oppress one another, the proprietors of small estates were necessarily exposed to many hardships and calamities.—Surrounded by wealthier and more powerful neighbours, by whom they were invaded from every quarter, and held in constant terror, they could seldom indulge the hope of maintaining their possessions, or of transmitting them to their posterity.—Conscious, therefore, of their weakness, they endeavoured to provide for their future safety, by soliciting the aid of some *opulent chief*, who appeared most capable of defending them ; and, in order to obtain *that protection* which he afforded to his ancient retainers or vassals, they were obliged to ren-

der themselves equally subservient to his interest, to relinquish their pretensions to independence, to acknowledge him as their leader, and to yield him that homage and fealty which belonged to a feudal superior.—The nature of these important transactions, the solemnities with which they were accompanied, and the views and motives from which they were usually concluded, are sufficiently explained from the copies or forms of those deeds which have been collected and handed down to us.—THE VASSAL promised, in a solemn manner, to the jurisdiction of the superior, to reside within his domain, and to serve him in war, whether he should be engaged in prosecuting his own quarrels, or in the common cause of the nation.—THE SUPERIOR, on the other hand, engaged to exert all his power and influence in protecting the vassal, in defending his possessions, or in avenging his death, in case he should be assassinated.

Thus, by degrees, the feudal system was completed in most of the countries of Europe.—The whole of a kingdom came to be united in one great fief, of which the king was the superior, or lord paramount, having, in some measure, the property of all the land within his dominions.—The great barons became his immediate vassals, and, according to the tenure by which they

they held their estates, were subject to his jurisdiction, and liable to him in services of the same nature with those which they expected from their own retainers or inferior military tenants*.

THE PROGRESS OF GOVERNMENT IN THE SEVERAL COUNTRIES OF EUROPE WAS SUCH AS MIGHT BE EXPECTED FROM THE INFLUENCE OF THOSE CHANGES WHICH I HAVE MENTIONED.—WHENEVER AN INDEPENDENT PROPRIETOR HAD RESIGNED HIS PROPERTY, AND AGREED TO HOLD HIS LAND BY A FEUDAL TENURE, HE WAS NO LONGER ENTITLED TO A VOICE IN THE NATIONAL ASSEMBLY, BUT WAS OBLIGED TO FOLLOW THE DIRECTION OF THE SUPERIOR TO WHOM HE WAS LIABLE IN HOMAGE AND FEALTY.—WE FIND, ACCORDINGLY, THAT IN FRANCE THE PUBLIC ASSEMBLY WAS AT FIRST EXTREMELY NUMEROUS, COMPREHENDING ALL THE DIFFERENT HEADS OF FAMILIES IN THE NATION.—BY DEGREES IT WAS AFTERWARDS REDUCED IN NUMBER, AND CONFINED TO PERSONS OF SUPERIOR OPULENCE AND RANK, WHO WERE CALLED TO A SEPARATE CONFERENCE WITH THE KING.—AS THE NOBLES WERE THUS ADVANCING IN WEALTH AND

* Millar.

SECT. IV.

THE THREE SPECIES OF MODERN GOVERNMENTS.

As a series of *appeals* must be *finite*, there necessarily exists in every government a *power from which the constitution has provided no appeal*; and which power, for that reason, may be termed *absolute, omnipotent, uncontrollable, arbitrary, despotic*; and is alike so in all countries.

The person, or assembly, in whom this power resides, is called the *sovereign*, or the supreme power of state.

Since to the same power universally appertains the office of establishing public laws, it is called also the *legislature* of the state.

A government receives its denomination from the *form of the legislature*; which *form* is likewise what we commonly mean by the *constitution* of a country.

Political writers enumerate *three principal forms* of government, which, however, are to be regarded rather

are tyranny, expence, exaction, military domination; unnecessary wars waged to gratify the passions of an individual; risk of the character of the reigning prince; ignorance in the governors of the interests and accommodation of the people, and a consequent deficiency of salutary regulations; want of constancy and uniformity in the rules of government, and, proceeding from thence, insecurity of person and property.

The *separate advantage* of an **ARISTOCRACY** consists in the wisdom which may be expected from experience and education—a permanent council naturally possesses experience; and the members, who succeed to their places in it by inheritance, will, probably, be trained and educated with a view to the stations which they are destined by their birth to occupy.

The *mischiefs* of an **ARISTOCRACY** are, dissensions in the ruling orders of the state, which, from the want of a common superior, are liable to proceed to the most desperate extremities; oppression of the lower orders by the privileges of the higher, and by laws partial to the separate interests of the law makers.

The *advantages* of a **REPUBLIC** are, liberty, or exemption from needless restrictions; equal laws; regulations adapted to the wants and circumstances of the people; public

vided against in each.—Thus, if *secrecy* and *dispatch* be truly enumerated amongst the separate excellencies of regal government; then a mixed government, which retains monarchy in one part of its constitution, should be careful that the other estates of the empire do not, by an officious and inquisitive interference with the executive functions, which are, or ought to be, reserved to the administration of the prince, interpose delays, or divulge what it is expedient to conceal.—On the other hand, if *profusion*, *exaction*, *military domination*, and *needless wars*, be justly accounted natural properties of monarchy, in its simple unqualified form; then are these the objects to which, in a mixed government, the aristocratic and popular parts of the constitution ought to direct their vigilance; the dangers against which they should raise and fortify their barriers: these are departments of sovereignty, over which a power of inspection and control ought to be deposited with the people.

The same observation may be repeated of all the other advantages and inconveniences which have been ascribed to the several simple forms of government; and affords a rule whereby to direct the construction, improvement, and administration of mixed governments, subjected however to this remark, that a quality sometimes

results

results from the conjunction of two simple forms of government, which belongs not to the separate existence of either: thus corruption, which has no place in an absolute monarchy, and little in a pure republic, is sure to gain admission into a constitution, which divides the supreme power between an executive magistrate and a popular council.

An *hereditary MONARCHY* is universally to be preferred to an *elective monarchy*.—The confession of every writer upon the subject of civil government, the experience of ages, the example of Poland, and of the papal dominions, seem to place this amongst the few indubitable maxims which the science of politics admits of.—*A crown is too splendid a prize to be conferred upon merit.*—The passions or interests of the electors exclude all consideration of the *qualities* of the competitors.—The same observation holds concerning the appointment to any office which is attended with a great share of power or emolument.—*Nothing is gained by a popular choice worth the dissensions, tumults, and interruption of regular industry, with which it is inseparably attended.*—Add to this, that a *king*, who *owes his elevation to the event of a contest, or to any other cause than a fixed rule of succession, will be apt to regard one part of his subjects as the associates* of

of his fortune, and the other as conquered foes.—Nor should it be forgotten, amongst the *advantages* of an *hereditary* monarchy, that as plans of national improvement and reform are seldom brought to maturity by the exertions of a single reign, a nation cannot attain to the degree of happiness and prosperity to which it is capable of being carried, unless an uniformity of councils, a consistency of public measures and designs, be continued through a succession of ages.—This benefit may be expected with greater probability, where the supreme power descends in the same race, and where each prince succeeds, in some sort, to the aim, pursuits, and disposition of his ancestor, than if the crown, at every change, devolve upon a stranger; whose first care will commonly be to pull down what his predecessor had built up; and to substitute systems of administration, which must, in their turn, give way to the more favourite novelties of the next successor.

ARISTOCRACIES are of *two* kinds, *first*, where the power of the nobility belongs to them in their collective capacity alone; that is, where although the government reside in an assembly of the order, yet the members of that assembly separately and individually possess no authority or privilege beyond the rest of the community:

nity :—this describes the constitution of VENICE.—*Secondly*, where the nobles are severally invested with great personal power and immunities, and where the power of the senate is little more than the aggregated power of the individuals who compose it :—this is the constitution of POLAND.—Of these *two forms* of government, the *first* is *more tolerable* than the *last*; for although the members of a senate should many, or even all of them, be profligate enough to abuse the authority of their stations in the prosecution of private designs, yet, not being all under a temptation to the same injustice, not having all the same end to gain, it would still be difficult to obtain the consent of a majority, to any specific act of oppression, which the iniquity of an individual might prompt him to propose : or if the will were the same, the power is more confined ; one tyrant, whether the tyranny reside in a single person, or a senate, cannot exercise oppression at so many places at the same time, as it may be carried on by the dominion of a numerous nobility over their respective vassals and dependents.—Of all species of domination this is the most odious : the freedom and satisfaction of private life are more constrained and harassed by it, than by the most vexatious laws, or even by the lawless will of an arbitrary

monarch ;

monarch ; from whose knowledge, and from whose injustice, the greatest part of his subjects are removed by their distance, or concealed by their obscurity.

Europe exhibits more than one modern example where the people, aggrieved by the exactions, or provoked by the enormities, of their immediate superiors, have joined with the reigning prince in the overthrow of the aristocracy, deliberately exchanging their condition for the miseries of despotism.—About the middle of the last century, the commons of DENMARK, weary of the oppressions which they had long suffered from the nobles, and exasperated by some recent insults, presented themselves at the foot of the throne, with a formal offer of their consent to establish unlimited dominion in the king.—The revolution in SWEDEN, still more lately brought about with the acquiescence, not to say the assistance, of the people, owed its success to the same cause, namely, to the prospect of deliverance, that it afforded, from the tyranny which their nobles exercised under the old constitution.—In ENGLAND the people beheld the depression of the barons, under the house of Tudor, with satisfaction, although they saw the crown acquiring thereby a power, which no limitations, that the constitution had then provided, were likely to confine.—The lesson

to

to be drawn from such events is this, that a mixed government, which admits a patrician order into its constitution, ought to circumscribe the personal privileges of the nobility, especially claims of hereditary jurisdiction and local authority, with a jealousy equal to the solicitude with which it provides for its own preservation.—For nothing so alienates the minds of the people from the government under which they live, as a perpetual sense of annoyance and inconvenience; or so prepares them for the practices of an enterprising prince, or a factious demagogue, as the abuse which almost always accompanies the existence of separate immunities.

Amongst the *inferior*, but by *no means inconsiderable*, *advantages of a DEMOCRATIC CONSTITUTION*, or of a constitution in which the people partake of the power of legislation, the following should not be neglected.

I. *The direction which it gives to the education, studies, and pursuits of the superior orders of the community.*—The share which this has in forming the *public manners and national character* is very important.—In countries, in which the gentry are excluded from all concern in the government, scarce any thing is left which leads to advancement, but the profession of arms.—They who do not addict themselves to this profession

(and miserable must that country be, which constantly employs the military service of a great proportion of *any* order of its subjects) are commonly lost by the mere want of object and destination ; that is, they either fall, without reserve, into the most sottish habits of animal gratification, or entirely devote themselves to the attainment of those futile arts and decorations, which compose the business and recommendation of a court : *on the other hand*, where the whole, or any effective portion of civil power is possessed by a popular assembly, more serious pursuits will be encouraged, purer morals, and a more intellectual character, will engage the public esteem ; those faculties, which qualify men for deliberation and debate, and which are the fruit of sober habits, of early and long continued application, will be roused and animated by the reward, which, of all others, most readily awakens the ambition of the human mind, political dignity and importance.

II. *Popular elections procure to the common people courtesy from their superiors.*—That contemptuous and overbearing insolence, with which the lower orders of the community are wont to be treated by the higher, is greatly mitigated where the people have *something to give.* —The assiduity, with which their favour is sought upon

these occasions, serves to generate settled habits of condescension and respect ; and as human life is more embittered by *affronts* than injuries, whatever contributes to procure mildness and civility of manners towards those who are most liable to suffer from a contrary behaviour, corrects, with the pride, in a great measure the evil of inequality, and deserves to be accounted amongst the most generous institutions of social life.

III. *The satisfaction which the people in free governments derive from the knowledge and agitation of political subjects* ; such as the proceedings and debates of the senate ; the conduct and character of ministers ; the revolutions, intrigues, and contentions of parties ; and, in general, from the discussion of public measures, questions, and occurrences.—Subjects of this sort excite just enough of interest and emotion, to afford a moderate engagement to the thoughts, without rising to any painful degree of anxiety, or ever leaving a fixed oppression upon the spirits : and what is this, but the end and aim of all those amusements, which compose so much of the business of life and the value of riches?—*For my part, and I believe it to be the case with most men, who are arrived at the middle age, and occupy the middle classes of life; had I all the money, which I pay in taxes to government, at li-*

berly to lay out upon amusement and diversion, I know not whether I could make choice of any, in which I should find greater pleasure, than what I receive from expecting, bearing, and relating public news; reading parliamentary debates, and proceedings; canvassing the political arguments, projects, predictions, and intelligence, which are conveyed, by various channels, to every corner of the kingdom.—These topics, exciting universal curiosity, and being such as almost every man is ready to form, and prepared to deliver their opinion about, greatly promote, and, I think, improve conversation.—They render it more rational and more innocent.—They supply a substitute for drinking, gaming, scandal, and obscenity.—Now the secrecy, the jealousy, the solitude, and precipitation of despotic governments, exclude all this.—But the loss, you say, is trifling.—I know that it is possible to render even the mention of it ridiculous, by representing it as the idle employment of the most insignificant part of the nation, the folly of village-statesmen, and coffee-house politicians; but I allow nothing to be a trifle, which ministers to the harmless gratification of multitudes; nor any order of men to be insignificant, whose number bears a respectable proportion to the sum of the whole community^a.

^a Paley.

THE

SPOILS, AND ITS STRENGTH IS ONLY THE POWER OF A FEW, AND THE LICENTIOUSNESS OF MANY.

ATHENS was possessed of the *same number of forces*, when she triumphed so gloriously, and when with so much infamy she was *enslaved*.—She had *twenty thousand citizens*^a, when she defended the Greeks against the PERSIANS, when she contended for empire with SPARTA, and invaded SICILY.—She had *twenty thousand* when DEMETRIUS PHALEREUS numbered them^b, as slaves are told by the head in a market place.—When PHILIP attempted to lord it over Greece, and appeared at the gates of Athens^c, she had even then lost nothing but time.—We may see in Demosthenes how difficult it was to awaken her: she dreaded Philip, not as the enemy of her *liberty*, but of her *pleasures*^d.—This FAMOUS CITY, which had withstood so many defeats, and after having been so often destroyed, had as often risen out of her ashes, was overthrown at CHÆRONEA, and at one blow deprived of *all hopes of resource*.—What does it avail her, that Philip sends back her *prisoners*, if he does not return her *men*?—It was ever

^a Plutarch, Life of Pericles, Plato in Critia.

^b She had at that time twenty-one thousand citizens, ten thousand strangers, and four hundred thousand slaves. See Athenæus, Book 6.

^c She had then twenty thousand citizens. See Demosthenes in Aristog.

^d They had passed a law, which rendered it a capital crime for any one to propose applying the money designed for the theatres to military service.

after

after as easy to triumph over the Athenian forces, as it had been difficult to subdue her virtue.

How was it possible for Carthage to maintain her ground? When HANNIBAL, upon his being made *Prætor*, endeavoured to hinder the *magistrates* from plundering the republic, did not they complain of him to the ROMANS?—Wretches, who would fain be *citizens* without a city, and *beholden for their riches* to their *very destroyers*!—ROME soon insisted upon having three hundred of their principal *citizens* as *hostages*; she obliged them *next* to surrender their arms and ships, and *then* she declared war^a.—From the *desperate efforts* of this *defenceless city*, one may judge of what she might have performed in her *full vigour*, and assisted by *virtue*^b.

^a This lasted three years.

^b Montesquieu.

S E C T. VI.

**PUBLIC VIRTUE IS IN A LESS DEGREE ESSENTIAL
TO AN ARISTOCRACY.**

As virtue is necessary in a POPULAR GOVERNMENT, it is requisite also under an ARISTOCRACY.—True it is, that in the latter is not so absolutely requisite.

The people, who in respect to the nobility are the same as the subjects with regard to a monarch, are restrained by their laws.—They have, therefore, less occasion for virtue than the people in a democracy.—But how are the nobility to be restrained?—They who are to execute the laws against their colleagues, will immediately perceive they are acting against themselves.—VIRTUE is therefore necessary in this body, from the very nature of the constitution.

AN ARISTOCRATICAL GOVERNMENT has an inherent vigour, unknown to democracy.—The nobles form a body, who by their prerogative, and for their own particular interest, *restrain the people*; it is sufficient, that *there are laws in being to have them executed.*

But

But easy as it may be for the body of the nobles to restrain the people, restraints will with difficulty reach the legislative body.—*Such is the nature of the constitution, that it seems to subject the very same persons to the power of the laws, and at the same time to exempt them.*—Public crimes^a may indeed be punished, because it is here a common concern; but private crimes will go unpunished, because it is the common interest not to punish them.

Now such a body as this will restrain itself only two ways; either by a very eminent virtue, which puts the nobility in some measure on a level with the people, or by an inferior virtue, which puts them at least upon a level with one another, and on this their preservation depends.

Moderation is therefore the very soul of this government; a moderation I mean founded on virtue, not that which proceeds from indolence and pusillanimity^b.

^a Though all crimes be in their own nature *public*, yet there is a distinction between *crimes really public*, and *those* that are *private*, which are so called, because they are more injurious to individuals than to the community.

^b Montesquieu.

S E C T. VII.

HONOUR THE STAY OF MONARCHY.

A MONARCHICAL GOVERNMENT supposeth, as we have already observed, pre-eminentes and ranks, as likewise a noble descent.—Now since it is *the nature of honour* to aspire to preferments and titles, it is properly placed in this government.

Ambition is pernicious in a republic.—But in a monarchy it has some good effects; it gives life to the government, and is attended with this advantage, that it is no way dangerous; because it will be continually checked.

It is with this kind of government as with the system of the universe, in which there is a power that constantly repels all bodies from the center, and a power of gravitation that attracts them to it.—HONOUR sets all the parts of the body politic in motion, and by its very action connects them; thus each individual advances the public good, while he only thinks of promoting his own interest.

True

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True it is, that, *philosophically speaking*, it is a *false honour* which moves all the parts of this government; but even this *false honour* is as *useful to the public* as *true honour* could possibly be to *private people*.

Is it not a very *great point* to oblige men to perform the *most difficult actions*, such as require an extraordinary exertion of fortitude and resolution, *without any other recompence*, than that of **GLORY** and **APPLAUSE**?

VIRTUE IS NOT ESSENTIAL TO A MONARCHICAL GOVERNMENT.

IN MONARCHIES *policy effects great things with as little virtue as possible*.—Thus in the *nicest machines art* has reduced the number of movements, springs, and wheels.

The state subsists independent of the love of our country, of the thirst of true glory, of self-denial, of the sacrifice of our dearest interests, and of all those heroic virtues which we admire in the ancients, and to us are known only by story.

The laws supply here the place of those virtues; they are



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sentative: here it is capable of inspiring the most glorious actions, and, joined with the force of laws, may lead us to the end of government as well as virtue itself.

Hence, in well regulated monarchies, we find often good subjects, and very few good men; for to be a good man^a, a good intention is necessary, and we should love our country not so much on our own account, as out of regard to the community^b.

^a This word good man is understood here in a political sense only.

^b Montesquieu.

S E C T. VIII.

FEAR IS THE PRINCIPLE OF A DESPOTIC STATE.

As *virtue* is necessary in a REPUBLIC, and in a MONARCHY *honour*, so *fear* is necessary in a DESPOTIC GOVERNMENT.—With regard to *virtue*, there is *no occasion for it*, and *honour* would be *extremely dangerous*.

Here the immense power of the prince is devolved entirely upon those whom he is pleased to intrust with the administration.—*Persons capable of setting a value upon themselves, would be likely to create disturbances.*—*Fear must therefore depress their spirits, and extinguish even the least sense of ambition.*

A MODERATE GOVERNMENT may, whenever it pleases, and without the least danger, *relax its springs.*—It supports itself by the *laws*, and by its own *internal strength*.—But when a despotic prince ceases one single moment to *lift up his arm*, when he cannot instantly demolish those whom he has entrusted with the first employments²,

² As it often happens in a military aristocracy.

THE CORRUPTION
OF THE
PRINCIPLES OF THE THREE GOVERNMENTS.

S E C T. IX.

OF THE CORRUPTION OF THE PRINCIPLES OF
DEMOCRACY.

THE PRINCIPLE OF DEMOCRACY is *corrupted* not only when the *spirit of equality* is *extinct*, but *likewise* when men fall into a *spirit of extreme equality*, and when *each citizen* would fain be upon a *level* with *those whom* he has *chosen to command him*.—THEN THE PEOPLE, INCAPABLE OF BEARING THE VERY POWER THEY HAVE DELEGATED, WANT TO MANAGE EVERY THING THEMSELVES, TO DEBATE FOR THE SENATE, TO EXECUTE FOR THE MAGISTRATE, AND TO DECIDE FOR THE JUDGES.

When this is the case, VIRTUE can no longer subsist in the republic.—THE POPULACE ARE DESIROUS OF EXERCISING THE FUNCTIONS OF THE MAGISTRATES; WHO CEASE TO BE REVERED.—THE DELIBERATIONS OF THE SENATE ARE SLIGHTED; ALL RESPECT IS THEN

LAID

LAID ASIDE FOR THE SENATORS, AND CONSEQUENTLY FOR OLD AGE.—IF THERE IS NO MORE RESPECT FOR OLD AGE, THERE WILL BE NONE PRESENTLY FOR PARENTS; DEFERENCE TO HUSBANDS WILL BE LIKEWISE THROWN OFF, AND SUBMISSION TO MASTERS.—THIS LICENTIOUSNESS WILL SOON BECOME GENERAL; AND THE TROUBLE OF COMMAND BE AS FATIGUING AS THAT OF OBEDIENCE.—WIVES, CHILDREN, SERVANTS, WILL SHAKE OF ALL SUBJECTION.—NO LONGER WILL THERE BE ANY SUCH THINGS AS MANNERS, ORDER, OR VIRTUE.

We find in *Xenophon's Banquet* a very lively description of a REPUBLIC in which the *people* abused their *equality*.—Each guest gives in his turn the reason why he is satisfied.—“ *Content I am,*” says Chamides, “ *because of my poverty.—WHEN I WAS RICH, I was obliged to pay my court to informers, knowing I was more liable to be hurt by them, than capable of doing them harm.—The republic constantly demanded some new tax of me; and I could not decline paying.—SINCE I AM GROWN POOR, I have acquired authority; nobody threatens me; I rather threaten others.—I can go or stay where I please.—The rich already rise from their seats and give me the way.—I am a king, I was before a slave:*

centiousness or oppression, equally labouring under the sudden and alternate succession of liberty and servitude, and notwithstanding her external strength, constantly determined to a revolution by the least foreign power : **THIS CITY, I SAY, HAD IN HER BOSOM AN IMMENSE MULTITUDE OF PEOPLE, WHOSE FATE IT WAS TO HAVE ALWAYS THIS CRUEL ALTERNATIVE, EITHER OF CHOOSING A TYRANT TO GOVERN THEM, OR OF ACTING THE TYRANT THEMSELVES.**

Great success, especially when chiefly owing to the people, intoxicates them to such a degree that it is impossible to contain them within bounds.—**JEALOUS OF THEIR MAGISTRATES, THEY SOON BECAME JEALOUS LIKEWISE OF THE MAGISTRACY; ENEMIES TO THOSE WHO GOVERN, THEY SOON PROVE ENEMIES ALSO TO THE CONSTITUTION.** Thus it was that the victory over the Persians in the Straits of Salamis corrupted the republic of Athens; and thus the defeat of the Athenians ruined the republic of Syracuse.

S E C T. X.

OF THE CORRUPTION OF THE PRINCIPLE OF
AN ARISTOCRACY.

An ARISTOCRACY is corrupted if the power of the nobles become arbitrary: when this is the case, there can no longer be any public virtue either in the governors or the governed.

If the reigning families observe the laws, it is a monarchy with several monarchs, and in its own nature one of the *most excellent*; for almost all these monarchs are tied down by the laws.—But when they do not observe them, it is a despotic state swayed by a great many despotic princes.

The extremity of corruption is when the power of the nobles becomes hereditary; for then they can hardly have any moderation.—If they are only a few, their power is greater, but their security less; if they are a larger number, their power is less, and their security greater: inasmuch that power goes on increasing, and security diminishing,

nishing, up to the very despotic prince who is encircled with excess of power and danger.

The great number therefore of nobles in an hereditary aristocracy renders the government less violent: but as there is less virtue, they fall into a spirit of supineness and negligence, by which the state loses all its strength and activity.

An ARISTOCRACY may maintain the full vigour of its constitution, if the laws be such as are apt to render the nobles more sensible of the perils and fatigues, than of the pleasure of command: and if the government be in such a situation as to have something to dread, while security shelters under its protection, and uncertainty threatens from abroad.

As a certain kind of confidence forms the glory and stability of monarchies, republics on the contrary must have something to apprehend^a.—A fear of the PERSIANS supported the laws of GREECE.—CARTHAGE and ROME were alarmed and strengthened by each other.—Strange, that the greater security those states enjoyed, the more, like stagnated waters, they were subject to corruption!^b

^a Justin attributes the extinction of Athenian virtue to the death of Epe-
minondos. Having no farther emulation, they spent their revenues in feasts,
frequenter caecum, quam castra visitant. Then it was that the Macedonians
emerged from obscurity, l. 6.

^b Montesquieu.

S E C T. XII.

OF THE CORRUPTION OF THE PRINCIPLE OF
A DESPOTIC GOVERNMENT.

The principle of A DESPOTIC GOVERNMENT is subject to a continual corruption, because it is even in its nature corrupt.—Other governments are destroyed by particular accidents, which do violence to the principles of each constitution; this is ruined by its own intrinsic imperfections.—It maintains itself therefore only when circumstances drawn from the climate, religion, situation, or genius of the people, oblige it to conform to order, and to admit of some rule.—By these things its nature is forced without being changed; its ferocity remains; and it is made tame and tractable only for an interval*.

* Montesquieu.

owing to her having continued in the *same extent of territory* after all her wars.—The *sole aim of Sparta was liberty*; and the *sole advantage of her liberty, glory*.

It was the *spirit of the Greek republics* to be as *contented with their territories, as with their laws*.—ATHENS was *first fired with ambition* and *gave it to LACEDÆMON*; but it was an *ambition rather of commanding a free people, than of governing slaves*; rather of *directing than of breaking the union*.—All was lost upon the starting up of a *monarchy, a government whose spirit is more turned to increase of dominion**.

* Montesquieu.

S E C T. XIV.

THE NATURAL LIMITS OF A MONARCHY.

A MONARCHICAL STATE ought to be of a MODE-
L^TE EXTENT.—Were it *small*, it would form itself
to a *republic*: were it *very large*, the nobility, possessed
great estates, far from the eye of the prince, with a pri-
ate court of their own, and secure moreover from sudden
incursions by the laws and manners of the country, such a
nobility, I say, might throw off their allegiance, having
nothing to fear from too slow and too distant a punishment.
After the decease of Alexander his empire was divided.
Now was it *possible* for those Greek and Macedonian
chiefs, who were each of them free and independent,
commanders at least of the victorious bands dispersed
roughout that *vast extent of conquered land*, how was
possible, I say, for them to be long united^a?

^a Montesquieu.

count in putting the Tartars, the Moldavians, the Wallachians, and formerly the Transilvanians, *between themselves and their enemies*.

The *real power* of a prince does not consist so much in the *facility he meets with in making conquests*, as in the *difficulty an enemy finds in attacking him*, and, if I may so speak, in the *immutability* of his condition. But the *increase of territory* obliges a government to lay itself *more open* to an enemy.

As Monarchs therefore ought to be endued with *wisdom* in order to *increase their power*, they ought likewise to have an *equal share of prudence to confine it within bounds*.—Upon removing the *inconveniencies of too small a territory*, they should have their eye constantly on the *inconveniencies which attend its extent*^a.

^a Montesquieu.

THE BIAS
 WHICH
THE DIFFERENT FORMS OF GOVERNMENT
GIVE TO THE NATIONAL CHARACTER.

S E C T. XVII.

**THE EFFECTS OF MONARCHY ON THE NATIONAL
 CHARACTER.**

IN MONARCHIES our character is not formed in colleges or academies.—It commences, in some measure, at our setting out in the world; for this is the school of what we call honour, that universal preceptor which ought every where to be our guide.

In our days we receive three different or contrary educations, namely, of our parents, of our masters, and of the world.—What we learn in the latter, effaces all the ideas of the former.

Here it is that we constantly hear these rules or maxims, viz. that we should have a certain nobleness in our virtues, a kind of frankness in our morals, and a particular politeness in our behaviour.

The

A court air consists in quitting a real for a borrowed greatness.—The latter pleases the courtier more than the former.—It inspires him with a certain disdainful modesty, which shews itself externally, but whose pride insensibly diminishes in proportion to its distance from the source of this greatness.

At court we find a delicacy of taste in every thing, a delicacy arising from the constant use of the superfluities of life, from the variety, and especially the satiety of pleasures, from the multiplicity and even confusion of fancies, which, if they are but agreeable, are sure of being well received.

Here it is that HONOUR interferes with every thing, mixing even with people's manner of thinking, and directing their very principles.

To this whimsical honour it is owing that the virtues are only just what it pleases; it adds rules of its own invention to every thing prescribed to us; it extends or limits our duties according to its own fancy, whether they proceed from religion, politics, or morality.

There is nothing so strongly inculcated in monarchies, by the laws, by religion, and honour, as *submission to the prince's will*; but this very honour tells us, that the prince never ought to command a *dishonourable action*,

tion, because this would render us incapable of serving him.

CRILLON refused to *assassinate* the Duke of Guise, but offered to *fight him*. After the massacre of St. Bartholomew, CHARLES IX. having sent orders to the governors in the several provinces for the Hugonots to be murdered, Viscount DORTE, who commanded at Bayonne, wrote thus to the king, *SIRE, AMONG THE INHABITANTS OF THIS TOWN, AND YOUR MAJESTY'S TROOPS, I COULD NOT FIND SO MUCH AS ONE EXECUTIONER; THEY ARE HONEST CITIZENS AND BRAVE SOLDIERS.—WE JOINTLY THEREFORE BESEECH YOUR MAJESTY TO COMMAND OUR ARMS AND LIVES IN THINGS THAT ARE PRACTICABLE.*—*This great and generous soul looked upon a base action as a thing impossible.*

There is nothing that honour more strongly recommends to the nobility, *than to serve their prince in a military capacity.*—Yet this very law of its own making, honour chooses to explain; and in case of any affront, it requires or permits us to retire.

Honour therefore has its supreme laws, to which education is obliged to conform.—The chief of these are, *that we are permitted to set a value upon our fortune,*

tame, but are absolutely forbidden to set any upon our lives.

The second is, that when we are raised to a post or preferment, we should never do or permit any thing which may seem to imply that we look upon ourselves as inferior to the rank we hold.

The third is, that those things which honour forbids are more rigorously forbidden, when the laws do not enter in the prohibition; and those it commands are more strongly inflicted upon, when they happen not so to be commanded by law.

S E C T. XVIII.

THE EFFECTS OF DESPOTISM ON THE NATIONAL CHARACTER.

IN DESPOTIC STATES *learning* proves dangerous, *emulation* fatal; and as to *virtue*, Aristotle cannot think there is any *one virtue* belonging to *slaves*; if so, education in *despotic countries* is confined within a narrow compass.

Excessive obedience supposes *ignorance* in the person that *obeys*: for he has *no occasion* to *deliberate*, to *doubt*, to *reason*; he has *only to will*.

Here therefore *education* is in some measure *needless*: to give *something*, one must *take away* *every thing*; and begin with making a *bad subject*, in order to make a *good slave*.

FOR WHY SHOULD EDUCATION TAKE PAINS IN FORMING A GOOD CITIZEN, ONLY TO MAKE HIM SHARE IN THE PUBLIC MISERY?—IF HE LOVES HIS COUNTRY, HE WILL STRIVE TO RELAX THE SPRINGS OF GOVERNMENT; IF HE MISCARRIES HE WILL BE UNDONE; IF HE SUCCEEDS, HE MUST EXPOSE HIMSELF, THE PRINCE, AND HIS COUNTRY, TO RUIN.

S E C T. XIX.

THE EFFECTS OF A REPUBLIC ON THE NATIONAL
CHARACTER.

Most of the ancients lived under governments that had *virtue* for their principle; and when this was in full vigour, they performed actions unusual in our times, and at which our narrow minds are astonished.

It is in a *republican government* that the whole power of education is required.—It must inspire us with the love of the *laws* and of our *country*.—And as *such love* requires a constant preference of *public* to *private* interest, it demands a species of self-renunciation, which is ever arduous and painful.

Every thing depends on establishing *this love in a republic*; and to inspire it ought to be the principal business of education: but the surest way of instilling it into children, is for parents to set them *an example*.

People have it generally in their power to communicate their ideas to their children; but they are still better able to transfuse *their passions*.

Virtue

Virtue in a republic is a most simple thing ; it is a love of the republic ; it is a sensation, and not a consequence of acquired knowledge : a sensation, that may be felt by the meanest as well as by the biggest person in the state.— When the common people adopt good maxims, they generally adhere to them with great readiness.

The love of our country is conducive to purity of morals, and the latter is again conducive to the former.—The less we are able to satisfy our private passions, the more we abandon ourselves to those of a general nature.

S E C T. XX.

THE EFFECTS OF CLIMATE ON THE NATIONAL
CHARACTER.

A *cold air*^a constricts the extremities of the external fibres of the body; this increases their elasticity, and favours the return of the blood from the extreme parts to the heart.—It contracts^b those very fibres; consequently it increases also their force.—On the contrary a *warm air* relaxes and lengthens the extremes of the fibres; of course it diminishes their force and elasticity.

People are therefore *more vigorous in cold climates*.—Here the action of the heart and the reaction of the extremities of the fibres are better performed, the temperature of the humours is greater, the blood moves freer towards the heart, and reciprocally the heart has more power.—*This superiority of strength must produce various effects*; for instance, *a greater boldness*, that is,

^a This appears even in the countenance: in cold weather people look thinner.

^b We know it shortens iron.

more

more courage; a greater sense of superiority, that is, less desire of revenge; a greater opinion of security, that is, more frankness, less suspicion, policy, and cunning.—*In short*, this must be productive of very different temper.—PUT A MAN INTO A CLOSE WARM PLACE, AND FOR THE REASONS ABOVE GIVEN HE WILL FEEL A GREAT FAINTNESS.—IF UNDER THIS CIRCUMSTANCE YOU PROPOSE A BOLD ENTERPRISE TO HIM, I BELIEVE YOU WILL FIND HIM VERY LITTLE DISPOSED TOWARDS IT: HIS PRESENT WEAKNESS WILL THROW HIM INTO A DESPONDENCY; HE WILL BE AFRAID OF EVERY THING, BEING IN A STATE OF TOTAL INCAPACITY.—The inhabitants of *warm countries* are, like old men, timorous; the people in *cold countries* are, like young men, brave.—If we reflect on the late wars^a, which are more recent in our memory, and in which we can better distinguish some particular effects that escape us at a greater distance of time; we shall find that the northern people transplanted into southern regions^b, did not perform such exploits as their countrymen, who, fighting in their own climate, possessed their full vigour and courage.

^a Those for the succession to the Spanish monarchy.

^b For instance in Spain.

This strength of the fibres in northern nations is the cause that the coarser juices are extracted from their alimenta.—From hence two things result: one, that the parts of the chyle or lymph are more proper by reason of their large surface, to be applied to, and to nourish, the fibres: the other, that they are less proper, from their coarseness, to give a certain subtilty to the nervous juice.—These people have therefore large bodies and but little vivacity.

The nerves that terminate from all parts in the cutis form each a nervous bundle; generally speaking, the whole nerve is not moved, but a very minute part.—In *warm climates*, where the cutis is relaxed, the ends of the nerves are expanded and laid open to the weakest action of the smallest objects.—In *cold countries* the cutis is constringed and the papillæ compressed; the miliary glands are in some measure paralytic; and the sensation does not reach the brain, but when it is very strong and proceeds from the whole nerve at once. *Now imagination, taste, sensibility, and vivacity, depend on an infinite number of small sensations.*

In *cold countries*, they have very little sensibility for pleasure; in *temperate countries*, they have more; in *warm countries*, their sensibility is exquisite.—As climates

states are distinguished by degrees of *latitude*, we might distinguish them also in some measure, by those of *sensibility*.—I have been at the opera in ENGLAND and in ITALY; where I have seen the *same pieces* and the *same performers*: and yet the *same music* produces such different effects on the two nations; one is so *cold and phlegmatic*, and the other so *lively and enraptured*, that it seems almost inconceivable.

It is the same with regard to *pain*; which is excited by the laceration of some fibre of the body.—The author of nature has made it an established rule that this pain should be more acute in proportion as the laceration is greater: now it is evident, that the large bodies and coarse fibres of the people of the *north*, are less capable of laceration than the delicate fibres of the inhabitants of *warm countries*; consequently the soul is there less sensible of pain.—*You must fay a Muscovite alive to make him feel.*

From this delicacy of organs peculiar to *warm climates*, it follows that the soul is most sensibly moved by whatever relates to the union of the two sexes: here every thing leads to this object.

In *northern climates* scarce has the animal part of love a power of making itself felt.—In *temperate climates*,

love, attended by a thousand appendages, endeavours to please by things that have at first the appearance, though not the reality of this passion.—In *warmer climates* it is liked for its own sake, it is the only cause of happiness, it is life itself

In *southern countries* a machine of a delicate frame, but strong sensibility, resigns itself wholly to a passion that is incessantly flattered in a seraglio; or gives way to the love of women who are in perfect independence, and is consequently exposed to a thousand inquietudes.—In *northern regions* the men, robust and heavy, find a pleasure in whatever is apt to throw the spirits into motion, such as hunting, travelling, war, and wine.—*If we travel towards the north*, we meet with people who have few vices, many virtues, and a great share of frankness and sincerity.—*If we draw near the south*, we fancy ourselves intirely removed from the verge of morality: here the strongest passions are productive of all manner of crimes, each man endeavouring, let the means be what they will, to indulge his inordinate desires.—In *temperate climates* we find the inhabitants inconstant in their manners, as well as in their vices and virtues: the climate has not a quality determinate enough to fix them.

THE HEAT OF THE CLIMATE MAY BE SO EXCESSIVE AS TO DEPRIVE THE BODY OF ALL VIGOR AND STRENGTH.—THEN THE FAINTNESS IS COMMUNICATED TO THE MIND; THERE IS NO CURIOSITY, NO ENTERPRISE, NO GENEROSITY OF SENTIMENT; THE INCLINATIONS ARE ALL PASSIVE; INDOLENCE CONSTITUTES THE UTMOST HAPPINESS; SCARCELY ANY PUNISHMENT IS SO SEVERE AS MENTAL EMPLOYMENT; AND SLAVERY IS MORE SUPPORTABLE THAN THE FORCE AND VIGOR OF MIND NECESSARY FOR HUMAN CONDUCT.

The INDIANS are naturally a pusillanimous people; even *the children of Europeans born in India* lose the courage peculiar to their own climate.—But how shall we reconcile this with their customs, and penances so full of barbarity? *the men voluntarily undergo the greatest hardships; and the women burn themselves*: here we find a very odd compound of fortitude and weakness.

Nature having framed those people of a texture so weak as to fill them with timidity, has formed them at the same time of an *imagination* so lively, that *every object* makes the *strongest impression* upon them.—THAT DELICACY OF ORGANS WHICH RENDERS THEM APPREHENSIVE OF DEATH, CONTRIBUTES LIKEWISE TO

MAKE THEM DREAD A THOUSAND THINGS MORE THAN DEATH: THE VERY SAME SENSIBILITY INDUCES THEM TO FLY, AND DARE, ALL DANGERS.

In ASIA the *strong nations* are opposed to the *weak*; the *warlike, brave, and active people* touch immediately on those who are *indolent, effeminate, and timorous*; the *one must therefore conquer, and the other be conquered.*—In EUROPE, on the contrary, *strong nations* are opposed to *the strong*; and those who join to each other have nearly the same courage.—*This is the grand reason of the weakness of ASIA, and of the strength of EUROPE: of the liberty of EUROPE and of the slavery of ASIA.*—From hence it proceeds, that *liberty in ASIA never increases*; whilst in EUROPE it is *enlarged, or diminished, according to particular circumstances.*

THE ENGLISH GOVERNMENT.

SECT. XVI.

ORIGIN OF THE BRITISH CONSTITUTION.

O LIBERTY, thou goddess heav'nly bright,
Profuse of bliss, and pregnant with delight !
Eternal pleasure in thy presence reign,
And smiling plenty leads thy wanton train ;
Eas'd of her load subjection grows more light,
And poverty looks cheerful in thy sight ;
Thou mak'st the gloomy face of nature gay,
Giv'st beauty to the sun, and pleasure to the day.
Thou, goddess, thee BRITANNIA's isle adores ;
How has she oft exhausted all her stores,
How oft, in fields of death, thy presence sought,
Nor thinks the mighty prize too dearly bought !

On foreign mountains, let the sun refine
 The grape's soft juice, and mellow it to wine;
 With citron groves adorn a distant soil;
 And the fat olive swell with floods of oil:
We envy not the warmer clime, that lies
 In ten degrees of more indulgent skies,
 Nor at the coarseness of our heav'n repine,
 Though o'er our heads the frozen pleiads shine;
 'Tis *Liberty* that crown's BRITANNIA's isle,
 That makes her barren rocks and bleakest mountains smile.

ADDISON.

OUR EXCELLENT CONSTITUTION, LIKE THAT OF
 MOST COUNTRIES IN EUROPE, HATH GROWN OUT OF
 OCCASION AND EMERGENCY; FROM THE FLUCTU-
 ATING POLICY OF DIFFERENT AGES; FROM THE CON-
 TENTIONS, SUCCESSES, INTERESTS, AND OPPORTUNI-
 TIES OF DIFFERENT ORDERS AND PARTIES OF MEN IN
 THE COMMUNITY.—IT RESEMBLES ONE OF THOSE OLD
 MANSIONS, WHICH, INSTEAD OF BEING BUILT ALL
 AT ONCE, AFTER A REGULAR PLAN, AND ACCORD-
 ING TO THE RULES OF ARCHITECTURE AT PRESENT
 ESTABLISHED, HAS BEEN REARED IN DIFFERENT
 AGES OF THE ART, HAS BEEN ALTERED FROM TIME
 TO TIME, AND HAS BEEN CONTINUALLY RECEIVING

**ADDITIONS AND REPAIRS SUITED TO THE TASTE,
FORTUNE, OR CONVENIENCY, OF ITS SUCCESSIVE
PROPRIETORS.—IN SUCH A BUILDING WE LOOK IN
VAIN FOR THE ELEGANCE AND PROPORTION, FOR
THE JUST ORDER AND CORRESPONDENCE OF PARTS,
WHICH WE EXPECT IN A MODERN EDIFICE; AND
WHICH EXTERNAL SYMMETRY, AFTER ALL, CON-
TRIBUTES MUCH MORE PERHAPS TO THE AMUSE-
MENT OF THE BEHOLDER, THAN THE ACCOMMODA-
TION OF THE INHABITANT ^a.**

^a Paley.

S E C T. XVII.

OF A REFORM IN PARLIAMENT.

WHEN we contemplate the THEORY OF THE BRITISH GOVERNMENT we see THE KING invested with the most absolute personal impunity; with a power of rejecting laws, which have been resolved upon by both houses of parliament; of conferring by his charter, upon any set or succession of men he pleases, the privilege of sending representatives into one house of parliament, as by his immediate appointment he can place whom he will in the other.—What is this, a foreigner might ask, but a more circuitous despotism?—Yet, when we turn our attention from the legal extent to the ACTUAL EXERCISE of royal authority in England, we see these formidable prerogatives dwindled into mere ceremonies; and IN THEIR STEAD, a sure and commanding influence established, arising from that enormous patronage, which the increased territory and opulence of the empire has placed in the disposal of the executive magistrate.

Upon

Upon questions of REFORM the habit of reflection to be encouraged, is a sober comparison of the constitution under which we live, not with models of *speculative perfection*, but with the *actual chance* of obtaining a better.— This turn of thought will generate a political disposition, equally removed from that PUERILE ADMIRATION of present establishments which sees no fault, and can endure no change, and that DISTEMPERED SENSIBILITY, which is alive only to perceptions of inconveniency, and is too impatient to be delivered from the uneasiness which it feels, to compute either the peril, or expence of the remedy.

Political innovations commonly produce many effects beside those that are intended.—The direct consequence is often the least important.—Incidental, remote, and unthought of evils or advantages frequently exceed the good that is designed, or the mischief that is foreseen—It is from the silent and unobserved operation, from the obscure progress of causes, set at work for different purposes, that the greatest revolutions take their rise.

When ELIZABETH, and her IMMEDIATE SUCCESSOR, applied themselves to the encouragement and regulation of TRADE by many wise laws, they knew not, that, together with wealth and industry, they were

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diffusing

diffusing a consciousness of strength and independency, which would not long endure, under the forms of a mixed government, the dominion of arbitrary princes.

When it was debated whether the **MUTINY ACT** (the law by which the army is governed and maintained) should be *temporary* or *perpetual*, little else probably occurred to the advocates of an *annual bill*, than the expediency of retaining a *control over the most dangerous prerogative of the crown*—**THE DIRECTION AND COMMAND OF A STANDING ARMY**: whereas, in its effect, *this single reservation has altered the whole frame and quality of the British constitution*.—For since, in consequence of the military system which prevails in neighbouring and rival nations, as well as on account of the internal exigencies of government, *a standing army has become essential to the safety and administration of the empire*, it enables parliament, by *discontinuing this necessary provision*, so to enforce its resolutions upon any other subject, as to render the king's *dissent* to a law, which has received the *approbation* of both houses, *too dangerous an experiment* any longer to be advised.—*A contest* between the *king* and *parliament* cannot now be *persevered in*, without a dissolution of the government.—Lastly, when the constitution

tion conferred upon the crown *the nomination to all employments in the public service*, the authors of this arrangement were led to it, by the obvious propriety of leaving to a master the choice of his servants; and by the manifest inconveniency of engaging the national council, upon every variety, in those personal contests which attend elections to places of honour and emoluments.—Our ancestors did not observe that this disposition added an *influence* to the *regal office*, which, as the number and value of public employments increased, would supersede in a great measure the forms, and change the character of the ancient constitution.—They knew not what the experience and reflection of modern ages has discovered, that *patronage* universally is *power*; that he who possesses in a sufficient degree the means of gratifying the desires of mankind after wealth and distinction, by whatever checks and forms his authority may be limited or disguised, will direct the management of public affairs.—Whatever be the mechanism of the political engine, he will guide the motion.

These instances are adduced to illustrate the proposition we laid down, that, in politics, the most important and permanent effects have, for the most part, been incidental and unforeseen: and this proposition we inculcate, for the sake of the caution which it teaches,

Every district of the empire enjoys the privilege of choosing representatives, *informed of the interests and circumstances and desires of their constituents, and entitled by their situation to communicate that information to the national council.*—The meanest subject has some one whom he can call upon to bring forward his complaints and requests to public attention.

By annexing the right of voting for members of the House of Commons to different qualifications in different places, each order and profession of men in the community become virtually represented; that is, men of all orders and professions, *statesmen, courtiers, country gentlemen, lawyers, merchants, manufacturers, soldiers, sailors, interested in the prosperity, and experienced in the occupation of their respective professions, obtain seats in parliament.*

The elections, at the same time, are so connected with the influence of landed property as to afford a certainty that a considerable number of men of great estates will be returned to parliament; and are also so modified, that men the most eminent and successful in their respective professions, are the most likely, by their riches, or the weight of their stations, to prevail in these competitions.

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III

The number, fortune, and quality of the members; the variety of interests and characters amongst them; above all, the temporary duration of their power, and the change of men which every new election produces, are so many securities to the public, as well against the subjection of their judgments to any external dictation, as against the formation of a junto in their own body, sufficiently powerful to govern their decisions.

The representatives are so intermixed with the constituents, and the constituents with the rest of the people, that they cannot, without a partiality too flagrant to be endured, impose any burden upon the subject, in which they do not share themselves; nor scarcely can they adopt an advantageous regulation, in which their own interests will not participate of the advantage.

The proceedings and debates of parliament, and the parliamentary conduct of each representative, are known by the people at large.

The representative is so far dependent upon the constituent, and political importance upon public favour, that a member of parliament cannot more effectually recommend himself to eminence and advancement in the state, than by contriving and patronising laws of public utility.

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When intelligence of the condition, wants, and occasions of the people, is thus collected from every quarter, when such a variety of invention, and so many understandings are set at work upon the subject, it may be presumed, that the most eligible, expedient, remedy, or improvement, will occur to some one or other; and when a wise counsel, or beneficial regulation, is once suggested, it may be expected, from the disposition of an assembly so constituted as the British House of Commons is, that it cannot fail of receiving the approbation of a majority.

To prevent those destructive contentions for the supreme power, which are sure to take place, where the members of the state do not live under an acknowledged head, and a known rule of succession; to preserve the people in tranquillity at home, by a speedy and vigorous execution of the laws; to protect their interest abroad, by strength and energy in military operations, by those advantages of decision, secrecy, and dispatch, which belong to the resolutions of monarchical councils;—for these purposes, the constitution has committed the *executive government* to the administration and *limited authority* of an *hereditary King*.

In the defence of the empire; in the maintenance of its power, dignity, and privileges, with foreign nations;

tions; in the advancement of its trade by treaties and conventions; and in the providing for the general administration of municipal justice, by a proper choice and appointment of magistrates, the inclination of the king and of the people usually coincide: in this part, therefore, of the regal office, the *constitution* entrusts the prerogative with *ample powers*.

The *dangers* principally to be apprehended from regal government, relate to the two articles of **TAXATION** and **PUNISHMENT**.—In every form of government, from which the people are excluded, it is the interest of the governors to get as much, and of the governed to give as little, as they can: the power also of punishment, in the hands of an arbitrary prince, oftentimes becomes an engine of extortion, jealousy, and revenge.—*Wisely*, therefore, hath the **BRITISH CONSTITUTION** guarded the *safety* of the people, in these two points, by the most *studious* precaution.

Upon that of *taxation*, every law, which, by the remotest construction, may be deemed to levy money upon the property of the subject, *must originate*, that is, must first be proposed and assented to, *in the House of Commons*: by which regulation, accompanying the weight which that assembly possesses in all its functions,

the levying of taxes is almost exclusively referred to the popular part of the constitution, who, it is presumed, *will not tax themselves, nor their fellow subjects, without being first convinced of the necessity of the aids which they grant.*

The application also of the public supplies is watched with the same circumspection as the assessment.—Many taxes are annual; the produce of others is mortgaged, or appropriated to specific services; *the expenditure of all of them is accounted for in the House of Commons*; as computations of the charge or the purpose for which they are wanted are previously submitted to the same tribunal.

In the infliction of *punishment*, the power of the crown, and of the magistrate appointed by the crown, is confirmed by the most precise limitations: *the guilt of the offender must be pronounced by twelve men of his own order, indifferently chosen out of the county where the offence was committed: the punishment, or the limits to which the punishment may be extended, are ascertained and affixed to the crime, by laws which know not the person of the criminal.*

And whereas, arbitrary or clandestine *confinement* is the *injury* most to be *dreaded* from the strong hand of the

the executive government, because it deprives the prisoner at once of protection and defence, and delivers him into the power, and to the malicious or interested designs of his enemies; *the constitution has provided against this danger with extreme solicitude.*—The ancient writ of *habeas corpus*, the *habeas corpus act* of Charles the Second, and the practice and determinations of our sovereign courts of justice founded upon these laws, afford a *complete remedy* for every conceivable case of *illegal imprisonment*².

² Upon complaint in writing by, or on behalf of, any person in confinement, to any of the four courts of Westminster Hall, in term time, or to the Lord Chancellor, or one of the Judges, in the vacation; and upon a probable reason being suggested to question the legality of the detention, a writ is issued, to the person in whose custody the complainant is alledged to be, commanding him within a certain limited and short time to produce the body of the prisoner, and the authority under which he is detained.—Upon the return of the writ, strict and instantaneous obedience to which is enforced by very severe penalties, if no lawful cause of imprisonment appear, the court or judge, before whom the prisoner is brought, is authorized and *bound to discharge him*; *even though he may have been committed by a secretary, or other high officer of state, by the privy council, or by the King in person*: so that *no subject of this realm can be held in confinement, by any power, or under any pretence whatever, provided he can find means to convey his complaint to one of the four courts of Westminster Hall, or during their recess to any of the Judges of the same, unless all these several tribunals agree in determining his imprisonment to be legal.*—*He may make application to them, in succession; and if one out of the number be found, who thinks the prisoner entitled to his liberty, that one possesses authority to restore it to him.*

Treason being that charge, under colour of which the destruction of an obnoxious individual is often sought; and government being at all times more immediately a party in the prosecution; the law, beside the general care with which it watches over the safety of the accused, in this case, sensible of the unequal contest in which the subject is engaged, has assisted his defence with extraordinary indulgencies.—*By two statutes, enacted since the revolution, every person indicted for high treason shall have a copy of his indictment, a list of the witnessis to be produced, and of the jury impannelled, delivered to him ten days before the trial; he is also permitted to make his defence by counsel; privileges which are not allowed to the prisoner in a trial for any other crime: and what is of more importance to the party than all the rest, the testimony of two witnessis, at least, is required to convict a person of treason; whereas, one positive witness is sufficient in almost every other species of accusation.*

We proceed, in the second place, to enquire in what manner the *constitution* has provided for its own **PRESERVATION**; that is, in what manner each part of the *legislature* is secured in the exercise of the powers assigned to it, from the *encroachment* of the other parts.—This security is sometimes called the *balance of the constitution*; and the

political

political equilibrium, which this phrase denotes, consists in two contrivances,—A BALANCE OF POWER, and A BALANCE OF INTEREST.—By *a balance of power* is meant, that there is no power possessed by one part of the legislature, the *abuse* or *excess* of which is not checked by some *antagonist power* residing in another part.—Thus the *power* of the two houses of parliament to frame laws is checked by the *King's negative*; that if laws subversive of real government should obtain the consent of parliament, the reigning prince, by interposing his prerogative, may save the necessary rights and authority of his station.—On the other hand, the *arbitrary application* of this *negative* is checked by the privilege which parliament possesses, of *refusing supplies of money* to the exigencies of the King's administration.—The constitutional maxim, that the King can do no wrong, is balanced by another maxim, not less constitutional, that the *illegal commands of the King do not justify those who assist or concur in carrying them into execution*; and by a second rule, subsidiary to this, that the *acts of the crown acquire not any legal force, until authenticated by the subscription of some of its great officers*.—The wisdom of this contrivance is worthy of observation.—As the King could not be punished, without a civil war, the constitution

of the republic ; that is, it would reduce the nobility from the hereditary share they possess in the national councils, in which their real greatness consists, to the being made a part of the empty pageantry of a despotic court.—On the other hand, if the *house of commons* should intrench upon the distinct province, or usurp the established prerogative of the *crown*, the *house of lords* would receive an instant alarm from every new stretch of popular power.—In every contest in which the *King* may be engaged with the *representative body*, in defence of his established share of authority, he will find a sure ally in the collective power of the *nobility*.—An attachment to the monarchy, from which they derive their own distinction ; the allurements of a court, in the habits and with the sentiments of which they have been brought up ; their hatred of equality, and of all levelling pretensions, which may ultimately affect the privileges, or even the existence of their order ; in short, every principle and every prejudice which are wont to actuate human conduct, will determine their choice, to the side and support of the *crown*.—Lastly, if the *nobles* themselves should attempt to revive the superiorities, which their ancestors exercised under the feudal constitution, the *King* and the *people* would alike remember, how the

the one had been insulted, and the other enslaved, by that barbarous tyranny.—They would forget the natural opposition of their views and inclinations, when they saw themselves threatened with the return of a domination, which was *odious and intolerable to both* ^a.

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^a The reader will have observed, that in describing the *British constitution* little notice has been taken of the *house of lords*.—The proper use and design of this part of the constitution are the following: First, to enable the King, by his right of bestowing the peerage, to reward the servants of the public in a manner most grateful to them, and at a small expence to the nation; secondly, to fortify the power and to secure the stability of regal government, by an order of men naturally allied to its interests; and, thirdly, to answer a purpose, which though of superior importance to the other two, does not occur so readily to our observation; namely, to stem the progress of popular fury.—Large bodies of men are subject to sudden phrenies.—Opinions are sometimes circulated amongst a multitude without proof or examination, acquiring confidence and reputation merely by being repeated from one to another; and passions founded upon these opinions diffusing themselves with a rapidity which can neither be accounted for nor resisted, may agitate a country with the most violent convulsions.—Now the only way to stop the fermentation is to divide the mass; that is to erect different orders in the community, with separate prejudices and interests.—And this may occasionally become the use of an hereditary nobility, invested with a share of legislation.—Averse to those prejudices which attuate the minds of the vulgar; accustomed to condemn the clamour of the populace; disdaining to receive laws and opinions from their inferiors in rank, they will oppose resolutions which are founded in the folly and violence of the lower part of the community.—Was the voice of the people always dictated by reflection; did every man, or even one man in a hundred, think for himself, or actually consider the measure he was about to approve or censure; or even were the common people tolerably steadfast in the judgment which they formed, I should hold the interference of a superior order, not only superfluous, but wrong: for, when every thing is allowed to difference of rank and education, which the

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There is nothing, in the British constitution, so remarkable, as the *irregularity of the POPULAR REPRESENTATION*.—The *house of commons* consists of *five hundred and forty-eight* members, of whom *two hundred* are elected by *seven thousand constituents*: so that a majority

actual state of these advantages deserves, that, after all, is most likely to be right and expedient, which appears to be so to the separate judgment and decision of a great majority of the nation; at least, that, in general, *is right for them*, which is *agreeable to their fixed opinions and desires*.—But when we observe *what is urged as the public opinion*, to be, in truth, the *opinion only*, or perhaps the *feigned professions* of a few *crafty leaders*; that the *members* who *join in the cry*, serve only to swell and multiply the sound, without any *acquisition* of judgment, or exercise of understanding; and that oftentimes the *wisest counsels* have been thus *overborne* by *tumult and uproar*,—we may conceive occasions to arise, in which the *commonwealth may be saved* by the *reluctance* of the nobility to adopt the *caprices*, or to yield to the *vehement* of the *common people*.—In expecting this advantage from an order of nobles, we do not suppose the nobility to be more unprejudiced than others; we only suppose that their *prejudices will be different from*, and may occasionally *counteract*, *those of others*.

The *admission* of a *small number of ecclesiastics* into the *house of lords* is but an *equitable compensation* to the clergy for the *exclusion* of their order from the *house of commons*.—They are a set of men considerable by their number and property, as well as by their influence, and the duties of their station; yet, whilst every other profession has those amongst the *national representatives*, who, being conversant in the same occupation, are able to state, and naturally disposed to support, the rights and interests of the class to which they belong, the clergy alone are deprived of this advantage.—Which hardship is made up to them by introducing the *prelacy* into parliament; *and if bishops, from gratitude or expectation, be more obsequious to the will of the crown, than those who possess great temporal inheritances, they are properly inserted into that part of the constitution, from which much or frequent resistance to the measures of government is not expected*.

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of these seven thousand, without any reasonable title to superior weight or influence in the state, may, under certain circumstances, decide a question against the opinion of as many millions.—*Or*, to place the same object in another point of view; if my estate be situated in one county of the kingdom, I possess the ten thousandth part of a single representative; if in another, the thousandth; if in a particular district, I may be one in twenty who choose two representatives; if in a still more favoured spot, I may enjoy the right of appointing two myself.—If I have been born, or dwell, or have served an apprenticeship in one town, I am represented in the national assembly by two deputies, in the choice of whom I exercise an actual and sensible share of power; if accident has thrown my birth, or habitation, or service, into another town, I have no representative at all, nor more power or concern in the election of those who make the laws, by which I am governed, than if I was a subject of the Grand Signior—and this partiality subsists without any pretence whatever of merit or of propriety, to justify the preference of one place to another.—*Or*, thirdly, to describe the state of national representation as it exists in reality, it may be affirmed, I believe, with truth, that about one half of the house

of commons obtain their seats in that assembly by the election of the people, the other half by purchase, or by the nomination of single proprietors of great estates.

This is a flagrant *incongruity* in the constitution; but it is one of those *objections* which *strike most forcibly at first*.—The *effect* of *all reasoning* upon the subject will *diminish* the first impression: on which account it deserves the more attentive examination, that we may be assured, before we *adventure* upon a *reformation*, that the **MAGNITUDE OF THE EVIL JUSTIFIES THE DANGER OF THE EXPERIMENT.**

In the few remarks that follow, we would be understood, in the first place, to *decline all conference* with those who wish to *alter the form of government of these kingdoms*.—The reformers with whom we have to do, are they, who, while they *change* this part of the system, would *retain the rest*.—If any Englishman expect more happiness to his country under a *republic*, he may very *consistently* recommend a new modelling of elections to parliament; because, *if the king and house of lords were laid aside*, the present disproportionate representation would produce nothing but a *confused and ill-digested oligarchy*.—In like manner we wave a contro-

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versy with those writers who insist upon representation as a *natural* right^a: we consider it so far only as a *right at all*, as it conduces to PUBLIC UTILITY; that is, as it contributes to the establishment of good laws, or as it secures to the people the just administration of these laws.—These effects depend upon the disposition and abilities of the national counsellors.—Wherefore, if men the most likely by their qualifications to know and to promote the public interest be actually returned to parliament, it signifies little who return them.—If the properest persons be elected, what matters it by whom they are elected?—At least, no prudent statesman would subvert long established or even settled rules of representation, without a prospect of procuring wiser or better representatives.

This then being well observed, let us, before we seek to obtain any thing more, consider duly what we already have.—We have a house of commons composed of five hundred and forty-eight members, in which number are found the most CONSIDERABLE LANDHOLDERS

^a If this right be *natural*, no doubt it must be equal, and the right, we may add, of one sex, as well as of the other.—Whereas every plan of representation we have heard of begins by excluding the votes of women: thus cutting off, at a single stroke, one half of the public from a right which is asserted to be inherent in *all*; a right too, as some represent it, not only universal, but unalienable and indefeasible.

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and **MERCHANTS** of the kingdom; the **HEADS** of the **ARMY**, the **NAVY**, and the **LAW**; the **OCCUPIERS** of **GREAT OFFICES IN THE STATE**; together with **MANY PRIVATE INDIVIDUALS**, eminent by their knowledge, eloquence, or activity.—Now, if the *country* be not *safe* in *such hands*, in *whose* may it *confide its interests*?—If *such a number of such men* be *liable* to the *influence* of *corrupt motives*, what *assembly* of *men* will be *secure* from the *same danger*?—Does any *new scheme of representation* *promise* to *collect* together *more wisdom*, or to *produce firmer integrity*?

In this view of the subject, and attending not to ideas of *order* and *proportion* (of which many minds are much enamoured), but to *effects alone*, we may discover *just excuses* for those parts of the present representation which appear to a *hasty observer* *most exceptionable and absurd*.

It should be remembered as a maxim extremely applicable to this subject, that no order or assembly of men whatever can long maintain their place and authority in a *mixed government*, of which the members do not individually possess a respectable share of personal importance.—Now, whatever may be the *defects* of the present arrangement, it *infallibly secures a great weight of property to the house of commons*, by rendering *many seats* in

that house accessible to men of large fortunes, and to such n alone.—By which means those characters are enged in the defence of the separate rights and interests this branch of the legislature, that are best able to pport its claims.—The constitution of most of the all boroughs, especially the burgage tenure, contrites, though undesignedly, to the same effect ; for the pointment of the representatives we find commonly inexed to certain great inheritances.—*Elections purely pular are in this respect uncertain : in times of tranquillity, the natural ascendancy of wealth will prevail; it when the minds of men are inflamed by political dissens, this influence often yields to more impetuous motives.*

The variety of tenures and qualifications, upon which e right of voting is founded, appears to me a recommendation of the mode which now subsists, as it nds to introduce into parliament a corresponding iature of characters and profissions.—It has been long observed that *conspicuous abilities are most frequently found in the representatives of small boroughs.*—And this is othing more than what the laws of human conduct light teach us to expect : when such boroughs are set sale, those men are likely to become purchasers who e able to make the best display of their talents : and when

when a seat is not sold, but *given* by the opulent proprietor of a burgage tenure, the patron finds his own interest consulted, by the reputation and abilities of member whom he nominates.

If certain of the nobility hold the appointment of part of the house of commons, it serves to maintain alliance between the two branches of the legislature, w^{ch} no good citizen would wish to see dismembered: it helps keep the government of the country in the house commons, in which, it would not perhaps long continue to reside, if so powerful and wealthy a part of the nation as the peerage compose, were excluded from all share and interest in its constitution.

If there be a few boroughs so circumstanced as lie at the *disposal* of the *crown*, whilst the number such is *known* and *small*, they may be *tolerated* with *little* danger.—For where would be the impropriety, or inconveniency, if the king at once should nominate a *limited number* of his servants to seats in parliament or, what is the same thing, if seats in parliament were annexed to the possession of certain of the most efficacious and responsible offices in the state?

The present representation, after all these deductions, and under the confusion in which it confessedly lies

still in such a degree *popular*; or rather the *representatives* are *so connected with the mass of the community*, by a society of *interests* and *passions*, that the *will of the people*, when it is determined, permanent, and general, almost always at length prevails.

UPON THE WHOLE, IN THE SEVERAL PLANS WHICH HAVE BEEN SUGGESTED, OF AN EQUAL OR A REFORMED REPRESENTATION, IT WILL BE DIFFICULT TO DISCOVER ANY PROPOSAL THAT HAS A TENDENCY TO THROW MORE OF THE BUSINESS OF THE NATION INTO THE HOUSE OF COMMONS, OR TO COLLECT A SET OF MEN MORE FIT TO TRANSACT THAT BUSINESS, OR IN GENERAL MORE INTERESTED IN THE NATIONAL HAPPINESS AND PROSPERITY.

One consequence, however, may be *expected* from these projects, namely, “*less flexibility to the influence of the crown.*”—And since the *diminution of this influence*, is the *secret*, and perhaps the *sole design* of the various schemes that have been produced, whether for *regulating the elections, contracting the duration, or for purifying the constitution of parliament by the exclusion of placemen and pensioners*; it is obvious to remark, that the more *apt and natural*, as well as the more *safe*

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and quiet way of attaining the *same end*, would be by a direct reduction of the patronage of the crown, which might be effected to a certain extent without *hazarding* *farther consequences*.—Superfluous and exorbitant emoluments of office may not only be *suppressed* for the present; but provisions of law be devised, which should for the future restrain within certain limits, the *number* and *value* of the offices in the *donation of the king*.

But whilst we dispute concerning *different schemes* of *reformation*, all directed to the *same end*, a previous *doubt* occurs in the debate, whether the *end itself be good, or safe*—whether the *influence* so *loudly complained of* can be *destroyed, or even much diminished, without danger to the state*.

Whilst the *zeal* of some men beholds *this influence* with a *jealousy*, which nothing but its *entire abolition* can *appease*, many *wise* and *virtuous* politicians deem a *considerable portion* of it to be as *necessary a part of the British constitution*, as any *other ingredient* in the *composition*—to be that, indeed, which gives *cohesion* and *solidity* to the *whole*.—Were the *measures of government*, say they, *opposed* from *nothing but principle*, government ought to have *nothing but the rectitude of its measures to support them*; but since *opposition* springs

from *other motives*, government must possess an *influence* to *counteract these motives*; to produce, not a *bias* of the *passions*, but a *neutrality*: it must have *some weight* to cast into the scale to set the balance even.

It is the nature of ambition always to press upon the boundaries which confine it.—LICENTIOUSNESS, FACTION, ENVY, IMPATIENCE OF CONTROL OR INFERIORITY; THE SECRET PLEASURE OF MORTIFYING THE GREAT, OR THE HOPE OF DISPOSSESSING THEM; A CONSTANT WILLINGNESS TO QUESTION AND THWART WHATEVER IS DICTATED OR EVEN PROPOSED BY ANOTHER; A DISPOSITION COMMON TO ALL BODIES OF MEN TO EXTEND THE CLAIMS AND AUTHORITY OF THEIR ORDER; ABOVE ALL, THAT LOVE OF POWER AND OF SHOWING IT, WHICH EXIDES MORE OR LESS IN EVERY HUMAN BREAST, AND WHICH, IN POPULAR ASSEMBLIES, IS INLAMED, LIKE EVERY OTHER PASSION, BY COMMUNICATION AND ENCOURAGEMENT: these motives, led to *private designs* and *resentments*, *cherished* also by *popular acclamation*, and operating upon the great *share* of power already possessed by the house of commons, might *induce a majority*, or at least a *large party* of men in that assembly, to *unite* in endeavouring to

draw to themselves the whole government of the state; or at least so to obstruct the conduct of public affairs, by a wanton and perverse opposition, as to render it impossible for the wisest statesman to carry forwards the business of the nation with success or satisfaction.

Some passages of our national history afford grounds for these apprehensions.—Before the accession of James the First, or, at least, during the reigns of his three immediate predecessors, the government of England was a government by force; that is, the king carried his measures in parliament by **INTIMIDATION**.—A sense of personal danger kept the members of the house of commons in subjection.—A conjunction of fortunate causes delivered at last the parliament and nation from slavery.—That overbearing system, which had declined in the hands of James, expired early in the reign of his son.—After the restoration there succeeded in its place, and since the revolution has been methodically pursued, the more successful expedient of **INFLUENCE**.—Now we remember what passed between the *loss* of *terror*, and the *establishment of influence*.—THE TRANSACTIONS OF THAT INTERVAL, WHATEVER WE MAY THINK OF THEIR OCCASION OR EFFECT, NO FRIEND OF REGAL GOVERNMENT WOULD WISH TO SEE REVIVED.

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But the affairs of this kingdom afford a more recent testimony to the same doctrine.—In the British colonies of NORTH AMERICA, the late assemblies possessed much of the power and constitution of *our house of commons*.—The king and government of Great Britain held *no patronage* in the country, which could create attachment and influence sufficient to *counteract* that *spiritless, arrogant spirit*, which in *popular assemblies, when left to itself*, will never brook *an authority*, that *recks and interferes with its own*.—To this cause, excited perhaps by some *unseasonable provocations*, we may attribute, as to their *true and proper original*, we will not say the *misfortunes*, but the *changes* that have taken place in the British empire.—The *admonition*, which such examples suggest, will have its sight with *those*, who are *content with the general rule of the English constitution*; and who consider *stability* amongst the *first perfections* of any government.

We protest however against any construction, by which what is here said shall be attempted to be applied to the *justification of BRIBERY*, or of any *clandestine reward or solicitation* whatever.—*The very secrecy of such negotiations confesses or begets a consciousness of guilt*; which when the mind is once taught to endure without uncleanliness, *the*

the character is prepared for every compliance.—And there is the greater danger in these corrupt practices, as the extent of their operation is unlimited and unknown.—Our apology relates solely to that influence, which results from the acceptance or expectation of public preferments.

In political, above all other subjects, the arguments, or rather the conjectures on each side of a question, are often so equally poized, that the *wise* judgments may be held in suspense.—*These I call subjects of INDIFFERENCE.*—But again, when the subject is not *indifferent in itself*, it will appear such to a great part of those to whom it is proposed, for want of information, or reflection, or experience, or of capacity to collect and weigh the reasons by which either side is supported.—*These are subjects of APPARENT INDIFFERENCE.*—This indifference occurs still more frequently in *personal contests*; in which we do not often discover any reason of public utility, for the *preference* of one competitor to another.—*These cases compose the province of influence;* that is, *the decision in these cases will inevitably be determined by influence of some sort or other.*—The only doubt is, what *influence* shall be admitted.—If you remove the influence of the crown, it is only to make way for *influence*

fluence from a different quarter.—If motives of *expectation* and *gratitude* be withdrawn, other *motives* will succeed in their place, acting probably in an *opposite direction*, but equally irrelative and external to the proper merits of the question.—There exist, as we have seen, *passions* in the *human heart*, which will always make a *strong party* against the *executive power* of a mixed government.—According as the disposition of parliament is *friendly* or *adverse* to the recommendation of the crown in matters which are *really* or *apparently indifferent*, as indifference hath been now explained, the business of empire will be transacted with *ease* and *convenience*, or *embarrassed* with *endless contention and difficulty*.—Nor is it a *conclusion founded in justice or warranted by experience*, that, because men are induced by views of interest to *yield their consent to measures*, concerning which their *judgment decides nothing*, they may be brought by the *same influence*, to act in *deliberate opposition to knowledge and duty*.

Whoever reviews the operations of government in this country since the revolution, will find *few* even of the most questionable measures of administration, about which the *best instructed judgment* might not have doubted at the time; but of which he may affirm with *certainty*,

certainty, that they were indifferent to the greatest part of those who concurred in them.—From the success or the facility, with which they who dealt out the patronage of the crown carried measures like these, we ought not to conclude, that a similar application of honours and emoluments would procure the consent of parliament to councils evidently detrimental to the common welfare.

Is there not, on the contrary, more reason to fear, that the prerogative, if deprived of influence, would not be long able to support itself?—For when we reflect upon the power of the house of commons to extort a compliance with its resolutions from the other parts of the legislature; or to put to death the constitution by a refusal of the annual grants of money, to the support of the necessary functions of government—when we reflect also, what motives there are, which in the vicissitudes of political interests and passions, may one day arm and point this power against the executive magistrate—when we attend to these considerations, we shall be led perhaps to acknowledge, that there is not more of paradox than of truth, in that important but much decried apophthegm,—“ that an independent parliament is incompatible with the existence of the monarchy.”

S E C T. XVIII.

THE DECLARATION OF OUR RIGHTS.

BERTY denotes a state of *freedom*, in contradif-
on to *slavery* or *restraint*; and may be considered
as *natural* or *civil*.

The *absolute rights* of man, considered as a free agent,
endowed with discernment to know good from evil, and
power of choosing those measures which appear to
be most desirable, are usually summed up in
one general appellation, and denominated the *natural li-
berty of mankind*.—This *natural liberty* consists properly
of the power of acting as one thinks fit, without any re-
straint or controul, unless by the law of nature; being
it inherent in us by birth, and one of the gifts of
God to man at his creation, when he endued him with
the faculty of free-will.—But every man, when he enters
into society, gives up a part of his *natural liberty*, as
the price of so valuable a purchase; and, in consideration
of giving the advantages of mutual commerce, ob-

liges himself to conform to those laws which the community has thought proper to establish.—And this species of *legal obedience* and *conformity* is infinitely more *desirable* than that *wild* and *savage liberty* which is *sacrificed* to obtain it.—*For no man, that considers a moment, would wish to retain the absolute and uncontrollable power of doing whatever he pleases; the consequence of which is that every other man would also have the same power; and then there would be no security to individuals in any of the enjoyments of life* ^a.

Political,

^a The poets in describing the state of nature have painted the golden age or the reign of **SATURN**. The seasons, in that first period were so temperate, if we credit these agreeable fictions, that there was no necessity for men to provide themselves with cloaths and houses, as a security against the violence of heat and cold: the rivers flowed with wine and milk: the oaks yielded honey; and nature spontaneously produced her greatest delicacies. Nor were these the chief advantages of that happy age. Tempests were not alone removed from nature; but those more furious tempests were unknown to human breasts, which now cause such uproar, and engender such confusion. Avarice, ambition, cruelty, selfishness, were never heard of: cordial affection, compassion, sympathy, were the only movements with which the mind was yet acquainted. Even the punctilious distinction of *mine* and *thine* was banished from among that happy race of mortals, and carried with it the very notion of property and obligation, justice and injustice.

It seems evident, that, in such a happy state, every other social virtue would flourish, and receive tenfold increase; but the cautious, jealous virtue of justice would never once have been dreamed of. *For what purpose make a partition of goods, where every one has already more than enough? Why give rise to property, where there cannot possibly be any injury? Why call this object*

Political, therefore, or *civil*, *liberty*, which is that of a member of society, is no other than *natural liberty*, so far restrained by human laws (and no farther) as is necessary and expedient for the *general advantage* of the public.

Hence we may collect, that the law, which restrains a man from doing mischief to his fellow citizens, though it diminishes the *natural*, increases the *civil liberty* of mankind: but every wanton and causeless restraint of the will of the subject, whether practised by a monarch, a nobility, or a popular assembly, *is a degree of tyranny*.—Nay, that even laws themselves, whether made with or without our consent, if they regulate and constrain our conduct in matters of mere indifference, without *any good end* in view, are laws destructive of liberty: whereas, if *any public advantage* can arise from observing such precepts, the *controul* of our *private* inclinations, in *one or two particular points*, will conduce to *reserve our general freedom* in others of more importance, by supporting that state of society which alone can secure our independence.—Thus the statute of

A mine, when, upon the seizing of it by another, I need but stretch out my hand to possess myself of what is equally valuable? Justice, in that case, being totally *useless*, would be an idle ceremonial, and could never possibly have place.

king EDWARD IV. which forbade the fine gentlemen of those times (under the degree of a lord) to wear *pikes* upon their shoes or boots of *more than two inches in length*, was a law that favoured of oppression ; because, however ridiculous the fashion then in use might appear, the restraining it by pecuniary penalties could serve no purpose of common utility.—But the statute of king CHARLES II. which prescribes a thing seemingly as indifferent, viz. a dress for the dead, who were all ordered to be *buried in woollen*, is a law consistent with public liberty ; for it encourages the staple trade, on which in great measure depends the universal good of the nation.

So that laws, when prudently framed, are by no means subversive, but rather introductory, of liberty ; for (as Mr. LOCKE has well observed) where there is no law there is no freedom.—But then, on the other hand, *that constitution or frame of government, that system of laws, is alone calculated to maintain civil liberty, which leaves the subject entire master of his own conduct, except in those points, wherein the public good requires some direction or restraint.*

THE IDEA AND PRACTICE OF THIS POLITICAL OR CIVIL LIBERTY FLOURISH IN THEIR HIGHEST VI-

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GOUR IN THESE KINGDOMS, WHERE IT FALLS LITTLE SHORT OF PERFECTION, AND CAN ONLY BE LOST OR DESTROYED BY THE FOLLY OR DEMERITS OF ITS OWNER ; the *legislature*, and of course the *laws of Britain*, being peculiarly adapted to the *preservation* of this *inestimable blessing* even in the *meanest subject*.

This spirit of liberty is so deeply implanted in our constitution, and rooted even in our very soil, that a slave or a negro, the moment he lands in BRITAIN, falls under the protection of the laws, and becomes so far a freeman.

Very different from the modern constitutions of other states on the continent of Europe, and from the genius of the imperial law ; which in general are calculated to vest an arbitrary and despotic power, of controuling the actions of the subject, in the prince, or in a few grandees.

The ABSOLUTE RIGHTS of every Briton (which, taken in a political and extensive sense, are usually called their *liberties*), as they are founded on nature and reason, so they are coeval with our form of government ; though subject at times to *fluctuate and change*, their establishment (excellent as it is) being still *human*.—At some times we have seen them depressed by *overbearing and tyrannical princes* ; at others, so luxuriant as even to

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tend to *anarchy, a worse state than tyranny itself, as any government is better than none at all.*—But the *vigour* of our *free constitution* has always delivered *the nation* from these embarrassments: and, as soon as the *convulsions* consequent on the struggle have been over, the *balance* of our rights and liberties has settled to its *proper level*; and *their fundamental articles* have been from time to time *asserted in parliament*, as often as they were thought to be in danger:

First, by the **GREAT CHARTER OF LIBERTIES**, which was obtained, sword in hand, from King JOHN, and afterwards, with some alterations, confirmed in parliament by King HENRY III. his son.—Which charter contained very few new grants; but, as Sir Edward Coke observes, was for the most part declaratory of the principal grounds of the fundamental laws of England.

Afterwards, by the statute called **CONFIRMATIO CARTARUM**, whereby the great charter is directed to be allowed as the common law; all judgments contrary to it are declared void; copies of it are ordered to be sent to all cathedral churches, and read twice a year to the people; and sentence of excommunication is directed to be as constantly denounced against all those

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that by word, deed, or counsel, act contrary thereto, or in any degree infringe it.

Next by a multitude of subsequent corroborating statutes (Sir Edward Coke reckons thirty-two), from the **FIRST EDWARD to HENRY IV.**

Then, after a long interval, by THE PETITION OF RIGHT ; which was a *parliamentary declaration of the liberties of the people*, assented to by King **CHARLES I.** in the beginning of his reign.—Which was closely *followed* by the still more ample concessions made by that unhappy prince to his parliament, before the fatal rupture between them ; and by the many salutary laws, particularly the *habeas corpus act*, passed under **CHARLES II.**

To these *succeeded THE BILL OF RIGHTS*, or declaration delivered by the *lords and commons* to the **PRINCE and PRINCESS of ORANGE**, 13th of February, 1688 ; and *afterwards enacted in parliament*, when they became king and queen : which declaration concludes in these remarkable words : “ *and they do claim, demand, and insist upon, all and singular the premises, as their undoubted rights and liberties.*”—And the act of parliament itself recognises “ *all and singular the rights and liberties asserted and claimed in the said declaration to be the true, ancient,*

ancient, and indubitable rights of the people of this kingdom."

Lastly, these liberties were again asserted at the commencement of the present century, in the ACT OF SETTLEMENT, whereby the crown was limited to his present Majesty's illustrious house: and some new provisions were added, at the same fortunate era, for better securing our religion, laws, and liberties; which the statute declares to be "the birthright of the people of England," according to the ancient doctrine of the common law.

Thus much for the *declaration* of our *rights* and *liberties*.—The *rights themselves*, thus defined by these several statutes, *consist* in the number of *private immunities*; which will appear, from what has been premised, to be indeed no other, than either *that residuum of natural liberty, which is not required by the laws of society to be sacrificed to public convenience*; or else those *civil privileges*, which society hath engaged to provide, in *lieu* of the natural liberties so given up by individuals.

These therefore were formerly, either by inheritance or purchase, the rights of all mankind; but, in most other countries of the world, being now more or less debased and destroyed, they at present may be said to remain,

emain, in a peculiar and emphatical manner, THE RIGHTS OF THE PEOPLE OF BRITAIN.—And these may be reduced to *three* principal or primary articles; THE RIGHT OF PERSONAL SECURITY, THE RIGHT OF PERSONAL LIBERTY, AND THE RIGHT OF PRIVATE PROPERTY: because, as there is no other known method of compulsion, or of abridging man's natural free-will, but by an infringement or diminution of one or other of these important rights, the preservation of these inviolate may justly be said to include the preservation of our civil immunities in their largest and most extensive sense.

In vain, however, would these rights be declared, ascertained, and protected by the *dead letter of the law*, if the constitution had provided *no other method* to secure their actual enjoyment.—It has therefore established certain other *auxiliary subordinate rights* of the subject, which *serve* principally as barriers to *protect* and *maintain inviolate* the *three great and primary rights*, of *personal security, personal liberty, and private property*.—These are,

1. THE CONSTITUTION, POWERS, AND PRIVILEGES OF PARLIAMENT.

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2. THE LIMITATION OF THE KING'S PREROGATIVE, by bounds so certain and notorious, that it is impossible he should exceed them without the consent of the people.

The former of these keeps the *legislative power* in due *health and vigour*, so as to make it *improbable that laws should be enacted destructive of general liberty*: the latter is a *guard upon the executive power*, by restraining it from acting either beyond or in contradiction to the laws that are framed and established by the other.

3. A third subordinate right of every Briton is that of applying to the courts of justice for **REDRESS OF INJURIES**.

Since the *law* is, in this realm, *the supreme arbiter of every man's life, liberty, and property*, courts of justice must at all times be open to the subject, and the law be duly administered therein.—The emphatical words of *magna charta*, spoken in the person of the king, who in judgment of law (says **SIR EDWARD COKE**) is ever present and repeating them in all his courts, are these: *Nulli vendemus, nulli negabimus, aut differemus rectum vel iustitiam*^a; “ and therefore every subject (continues the same learned author), for injury done to him in

^a See the end of this paragraph.

bonis,

bonis, in terris, vel persona ^a, by any other subject, be he ecclesiastical or temporal, without any exception, may take his remedy by the course of the law, and have justice and right for the injury done to him, *freely without sale, fully without any denial, and speedily without delay.*"

It were endless to enumerate all the *affirmative* acts of parliament, wherein *justice* is directed to be done *according to the law of the land*: and what that law is, every subject knows, or may know if he pleases; for it depends not upon the arbitrary will of any judge; but is permanent, fixed, and unchangeable, unless by authority of parliament ^b.

We shall however just mention a few *negative* statutes, whereby abuses, perversions, or delays of justice, especially by the *prerogative*, are restrained.—It is ordained by *magna charta*, that no freeman shall be outlawed, that is, put out of the protection and benefit of the laws, but according to the law of the land.—By 2 Edw. III. c. 8. and 11 Ric. II. c. 10. it is enacted, *that no commands or letters shall be sent under the great*

^a In goods, in lands, or in person.

^b Parliament knows not the individuals upon whom its acts will operate; it has no cases or parties before it; no private designs to serve: consequently its resolutions will be suggested by the consideration of universal effects and tendencies, which always produce impartial, and commonly advantageous regulations.

seal, or the little seal, the signet or privy seal, in disturbance of the law, or to disturb or delay common right: and, though such commandments should come, the judges shall not cease to do right: which is also made a part of their oath by statute 18 EDW. III. st. 4.—And by 1 W. & M. st. 2. c. 2, it is declared, that the pretended power of suspending or dispensing with laws, or the execution of laws, by regal authority without consent of parliament, is illegal ^{2.}

Not

• To render the security of our rights still more perfect the judges, who, before the revolution, held their offices during the pleasure of the king, can now only be deprived of them by an address from both houses of parliament; as the most regular, solemn, and authentic way, by which the dissatisfaction of the people can be expressed.—To make this independency of the judges complete, the public salaries of their office are not only certain both in amount and continuance, but so liberal as to secure their integrity from the temptation of secret bribes: which liberality answers also the further purpose of preserving their jurisdiction from contempt, and their characters from suspicion; as well as that of rendering the office worthy of the ambition of men of eminence in their profession.

The number of the judges is also in this country small.—For, beside that the violence and tumult inseparable from large assemblies are inconsistent with the patience, method, and attention, requisite in judicial investigations; beside that all passions and prejudices act with augmented force upon a collected multitude; beside these objections, judges when they are numerous divide the shame of an unjust determination; they shelter themselves under one another's example; each man thinks his own character hid in the crowd: for which reason the judges ought always to be so few, as that the conduct of each may be conspicuous to public observation; that each may be responsible in his separate and particular reputation for the decisions in which he concurs.

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Not only the substantial part, or judicial decisions, of the law, but also the *formal part*, or *method of proceeding*, *cannot be altered but by parliament*: for, if once those outworks were demolished, there would be an inlet to all manner of innovation in the body of the law itself.—The king, it is true, may erect new courts of justice; but then they must proceed according to the old established forms of the common law.—For which reason it is declared in the statute of 16 CAR. I. c. 10,

The proceedings are also carried on *in public*; *apertis foribus*; not only before a *promiscuous concourse* of *bystanders*, but *in the audience* of the *whole profession* of the *law*.—The opinion of the bar concerning what passes will be *imperial*; and will commonly guide that of the public.—The *most corrupt* judge will *fear to indulge his dishonest wishes in the presence of such an assembly*: he must encounter what few can support, the *conjur* of his *equals* and *companions*, together with the *indignation* and *reproaches* of his *country*.

The law of England, by its *circuit* or *itinerant* *courts*, contains an excellent provision for the distribution of private justice.—*As the presiding magistrate comes into the country a stranger to its prejudices, rivalshif*, and *connection*, he brings with him none of those *attachments* and *regards*, which are so apt to *pervert the course of justice*, *when the parties and the judges inhabit the same neighbourhood*. Again, as this magistrate is usually one of the judges of the supreme tribunals of the kingdom, and has *passed his life in the study and administration of the law*, he possesses, it may be presumed, those professional qualifications, which befit the dignity and importance of his station. Lastly, as both he, and the *advocates* who accompany him in his circuit, are employed in the business of those *superior courts* (to which also their proceedings are amenable), they will naturally conduct themselves by the *rules of adjudication*, which they have applied, or learnt *there*: and by this means maintain, what constitutes a principal *perfection of civil government*, *one law of the land in every part and district of the empire*.

upon

upon the dissolution of the court of star-chamber, that neither his majesty, nor his privy council, have any jurisdiction, power, or authority, by English bill, petition, articles, *libel* (which were the course of proceeding in the star-chamber, borrowed from the civil law), or by any other arbitrary way whatsoever, to examine, or draw into question, determine, or dispose of the lands or goods of any subjects of this kingdom; but that the same ought to be tried and determined in the ordinary courts of justice, and by COURSE OF LAW ^a.

4. If there should happen any uncommon injury, or infringement of the rights before mentioned, which the ordinary course of law is too deficient to reach, there still remains a fourth subordinate right, appertaining to every individual, namely, THE RIGHT OF PETITION-

^a The construction of English courts of law, in which causes are tried by a jury with the assistance of a judge, combines the two species together with peculiar success. This admirable contrivance unites the wisdom of a fixed with the integrity of a casual judicature, and avoids, in a great measure, the inconveniences of both. The judge imparts to the jury the benefit of his erudition and experience; the jury, by their disinterestedness, check any corrupt partialities which previous application may have produced in the judge.—If the determination was left to the judge, the party might suffer under the superior interest of his adversary: if it was left to an uninstructed jury, his rights would be in still greater danger from the ignorance of those who were to decide upon them.—The present wise admixture of chance and choice in the constitution of the court, in which his cause is tried, guards him equally against the fear of injury from either of these causes.

ING the king, or either house of parliament, for the redress of grievances ².

IN RUSSIA we are told, that the Czar Peter established a law, that no subject might petition the throne till he had first petitioned two different ministers of state. In case he obtained justice from neither, he might then present a third petition to the prince ; *but upon pain of*

* But, lastly, if several courts co-ordinate to, and independent of each other, subsist together in the country, it seems necessary that the appeals from all of them should meet and terminate in the same judicature ; in order that one *supreme tribunal*, by whose final sentence all others are bound and concluded, may superintend and preside over the rest.—This constitution is necessary for two purposes—to preserve an uniformity in the decisions of inferior courts, and to maintain to each the proper limits of its jurisdiction.—Without a common superior, different courts might establish *contradictory rules* of adjudication, and the *contradiction* be *final and without remedy* ; the *same question* might receive *opposite determinations*, according as it was brought before one court or another, and the determination in each be *ultimate and irreversible*.

A POLITICIAN, WHO SHOULD SIT DOWN TO DELINEATE A PLAN FOR THE DISPENSATION OF PUBLIC JUSTICE, GUARDED AGAINST ALL ACCESS TO INFLUENCE AND CORRUPTION, AND BRINGING TOGETHER THE SEPARATE ADVANTAGES OF KNOWLEDGE AND IMPARTIALITY, WOULD FIND, WHEN HE HAD DONE, THAT HE HAD BEEN TRANSCRIBING THE JUDICIAL CONSTITUTION OF ENGLAND. AND IT MAY TEACH THE MOST DISCONTENTED AMONGST US TO ACQUIESCE IN THE GOVERNMENT OF HIS COUNTRY, TO REFLECT, THAT THE PURE, AND WISE, AND EQUAL ADMINISTRATION OF THE LAWS, FORMS THE FIRST END AND BLESSING OF SOCIAL UNION ; AND THAT THIS BLESSING IS ENJOYED BY HIM IN A PERFECTION, WHICH HE WILL SEEK IN VAIN, IN ANY OTHER NATION OF THE WORLD.

death,

death, if found to be in the wrong.—The consequence of which was, that no one dared to offer such third petition ; and grievances seldom falling under the notice of the sovereign, he had little opportunity to redrefs them.—The *restrictions*, for some there are, which are laid upon petitioning in BRITAIN, are of a nature *extremely different* ; and while they promote the *spirit of peace*, they are *no check* upon that of *liberty*.—Care only must be taken, lest, under the pretence of petitioning, the subject be guilty of any riot or tumult ; as happened in the opening of the memorable parliament in 1640 ; and, to prevent this, it is provided by the statute 13 CAR. II. st. 1, c. 5, that *no petition* to the king, or either house of parliament, for any alteration in church or state, *shall be signed* by *above twenty persons*, unless the matter thereof be approved by three justices of the peace, or the major part of the grand jury, in the country ; and in London, by the lord mayor, aldermen, and common-council ; *nor shall any petition be presented* by *more than ten persons* at a time.—But under these regulations, it is declared by the statute 1 W. & M. st. 2, c. 2, that the subject hath a *right to petition* ; and that all commitments and prosecutions for such petitioning are illegal.

5. The fifth and last auxiliary right of the subject, that we shall at present mention, is that OF HAVING ARMS FOR THEIR DEFENCE, suitable to their condition and degree, and such as are allowed by law.— Which is also declared by the same statute, 1 W. & M. st. 2, c. 2, and is indeed a public allowance, under due restrictions, of the natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression.

In these several articles consist the *rights*, or, as they are frequently termed, *the liberties of Britons*: liberties more generally *talked of* than thoroughly *understood*; and yet highly *necessary* to be perfectly *known* and *considered* by every man of rank or property, lest his *ignorance* of the points whereon they are founded should hurried him into *faction* and *licentiousness* on the one hand, or a *pusillanimous indifference* and *criminal submission* on the other.—And we have seen that these rights consist, primarily, in the free enjoyment of PERSONAL SECURITY, of PERSONAL LIBERTY, and of PRIVATE PROPERTY.

So long as these remain inviolate, the subject is perfectly free; for every species of compulsive tyranny and oppression

pression must act in opposition to one or other of these rights, having no other object upon which it can possibly be employed.

To preserve these from violation, it is necessary that the constitution of parliaments be supported in its full vigour; and limits, certainly known, be set to the royal prerogative. — And lastly, to vindicate these rights, when actually violated or attacked, the subjects of Britain are entitled, in the first place, to the regular administration and free course of justice in the courts of law; next, to the right of petitioning the king and parliament for redress of grievances; and lastly, to the right of having and using arms for self-preservation and defence.

And all these rights and liberties it is our birthright to enjoy entire; unless where the laws of our country have laid them under necessary restraints; *restraints in themselves so gentle and moderate, as will appear, upon farther inquiry, that no man of sense or probity would wish to see them slackened.* — For all of us have it in our choice to do every thing that a good man would desire to do; and are restrained from nothing, but what would be pernicious either to ourselves or our fellow citizens. — **So THAT THIS REVIEW OF OUR SITUATION MAY FULLY JUSTIFY THE OBSERVATION OF A LEARNED FRENCH**

**AUTHOR, WHO INDEED GENERALLY BOTH THOUGHT
AND WROTE IN THE SPIRIT OF GENUINE FREEDOM ;
AND WHO HATH NOT SCRUPLED TO PROFESS, EVEN
IN THE VERY BOSOM OF HIS NATIVE COUNTRY, THAT
THE BRITISH IS THE ONLY NATION IN THE WORLD, -
WHERE POLITICAL OR CIVIL LIBERTY IS THE DI-
RECT END OF ITS CONSTITUTION^a.**

^a Blackstone.

S E C T. XIX.

ON THE LIBERTY OF THE PRESS.

THE *liberty of the press*, however, so essential to the nature of a free state, consists not in *freedom from censure* for any *criminal matter* that may be published, but in having *no previous restraints* laid upon publications.—*Every freeman has undoubtedly a right to lay what sentiments he pleases before the public*; to forbid this, is to destroy the freedom of the press: but if he publishes what is *improper, mischievous, or illegal*, he *must take the consequence of his own temerity*.—To subject the press to the *restrictive power of a licenser*, is to subject all freedom of sentiment to the *prejudices of one man*, and make him the arbitrary and infallible judge of all controverted points in learning, religion, and government.—*But to punish (as the law does at present) any dangerous or offensive writings which, when published, shall, on a fair and impartial trial, be adjudged of a pernicious tendency, is necessary for the preservation of peace and good order, of*

government

government and religion, the only solid foundations of civil liberty.—Thus the *will* of individuals is still left *free*; the *abuse* only of that *free-will* is the object of legal punishment.—Neither is any restraint hereby laid upon freedom of thought or inquiry; liberty of private sentiment is still left; the disseminating or making public of *bad sentiments*, destructive of the ends of society, is the crime which society corrects.—*A man (says a fine writer on this subject) MAY BE ALLOWED TO KEEP POISONS IN HIS CLOSET, BUT NOT PUBLICLY TO YIELD THEM AS CORDIALS.*—And to this we may add, that the only plausible argument heretofore used for restraining the *just freedom* of the press, “that it was necessary to prevent the daily abuse of it,” will intirely lose its force, when it is shown (by a seasonable exertion of the laws) that the press cannot be abused to any *bad purpose* without incurring a suitable punishment: whereas it can never be used to any *good one* when under the controul of an inspector.—*So true will it be found, that to censure the licentiousness, is to maintain the liberty of the press*².

² *Blackstone.*

S E C T. XX.

ON POPULAR DISCONTENT.

THERE is inseparably annexed to our very nature and constitution, a certain unaccountable *restlessness* of mind, and thought, which makes us unsatisfied with what we at present possess and enjoy, and rave after something past or to come, which ever troubles, and corrupts, the pleasures of our senses, and of our imaginations, the enjoyments of our fortunes, or the best production of our reason, and thereby the content and happiness of our lives.

This is the true, natural, and common source of such personal dissatisfactions, such domestic complaints, and such *popular discontents*, as afflict not only our private lives, conditions, and fortunes, but even our *civil states* and governments, and thereby consummates the particular and general infelicity of mankind ; which is enough complained of by all that consider it in common actions and passions of life, *but much more in the fashions,*

Factions, seditions, convulsions, and fatal revolutions that have so frequently, and in all ages, attended all, or most of the governments in the world.

This RESTLESS HUMOUR, so general and natural to mankind, is a weed that grows in all soils and under all climates, but seems to thrive most, and grow fastest in the best.—From this original fountain issue those streams of faction, that with the course of time and accident, overflow the wisest constitutions of governments and laws, and many times make men treat the best princes and truest patriots, like the worst tyrants and most seditious disturbers of their country, and bring such men to scaffolds, that deserved statues, to violent and untimely deaths, that were worthy of the longest and the happiest lives.—If such only as PHALARIS and AGATHOCLES, as MARIUS and CATILINE, had fallen victims to faction, or to popular rage, we should have little to wonder or complain at, but we find the wisest, the best of men, have been sacrificed to the same idols.—SOLON and PYTHAGORAS have been allowed as such in their own and succeeding ages; and yet the one was banished and the other murdered by faction, which two ambitious men had raised in commonwealths, which those two wise and excellent men themselves had framed.—SCIPIO

and

and HANIBAL, the greatest and most glorious captains of their own, or perhaps any other age, and the best servants of their respective commonwealths, were *banished* and *disgraced* by the factions of their countries: and to come nearer home, BARNEVOLT and DE WIT in *Holland*, Sir THOMAS MOORE, and the Earl of ESSEX, and Sir WALTER RALEIGH, in *England*, men esteemed the most extraordinary of their time, fell all *bloody sacrifices* to the factions of their courts or their countries.

There is no theme so large and so easy, no discourse so common and so plausible, as the faults or corruptions of governments, the miscarriages or complaints of magistrates; none so easily received, and spread, even among good and well-meaning men, none so enviously raised, and employed so ill, nor turned to a worse or more disguised end.—No GOVERNMENTS, NO TIMES WERE EVER FREE FROM THEM, NOR EVER WILL BE FREE, TILL ALL MEN ARE WISE, GOOD, AND EASILY CONTENTED.—No CIVIL OR POLITICAL CONSTITUTION CAN BE PERFECT OR SECURE, WHILST THEY ARE COMPOSED OF MEN, WHO ARE FOR THE MOST PART PASSIONATE, INTERESTED, UNJUST, OR UNTHINKING, GENERAL- LY AND NATURALLY RESTLESS, AND UNQUIET;

DISCONTENTED

DISCONTENTED WITH THE PRESENT, OR WHAT THEY HAVE, RAVING AFTER THE FUTURE, OR SOMETHING THEY WANT, AND THEREBY EVER DISPOSED AND DESIROUS TO CHANGE.

Another cause of distempers in states, and *discontents* under all governments, is *the unequal condition* that must necessarily fall to the share of so many and such different men that compose them.—In great multitudes, *few* in comparison are born to great titles or great estates; *few* can be called to public charges and employments of dignity, or power, and *few* by their industry and conduct arrive at great degrees of wealth and fortune; *and every one speaks of the fair as his own market goes in it*.—All are easily satisfied with *themselves*, and their own merit, though they are not so with *their fortune*; and, when they see others in *better condition* whom they esteem *less deserving*, they lay it upon the *ill constitution of things*, the *partiality or humour of princes*, the *negligence or corruption of ministers*.

The common sort of people who have any leisure to think always find fault with *the times*, and some must have reason, for the merchant gains by *peace*, and the soldier by *war*; the shepherd by *wet seasons*, and the ploughman by *dry*: when the city *fills*, the country

decays in another.—In such variety and course men's designs and interests must be opposite to other, and both cannot succeed alike: whe winner laughs or no, *the loser will complain*, ar than quarrel with *himself*, will abuse the dice, he plays with.—*When any body is angry, some be blamed*; and those reasons which cannot be those accidents that could not be *prevented*, th carriages that no one could *foresee*, will be upon *the government*, and whether right or wrc have the same effect of raising or increasing t MON and POPULAR DISCONTENTS.

In all states there is one universal division, the separation of the *innocent* from the *criminal* tween such as are in some measure *contented* w they possess by inheritance, or what they expe their own abilities, industry, or parsimony ; a who are *diffatisfied* with what they have, and r ing to those innocent ways of acquiring more

hat others legally possess: *one* loves the present state of government, and endeavours to secure it; the *other* strives to end this game, and shuffle for a new: *one* loves fixed laws, and the *other* an unsettled power; yet at last, when they have gained *enough* by factions and disorders, by rapine and violence, come then to change their *principles* with *their fortunes*, and grow friends to established order and fixed laws.—So the **NORMANS** of old, when they had divided the spoils of the English lands and possessions, grew bold defenders of the common law of the land.—So of later days, it was observed, that **CROMWELL**'s *officers* in the army, who were the first for *burning records*, for *levelling of lands*, while they had none of their own; yet when afterwards they were grown rich and landed men, they fell into the praise of the *English laws*, and cried up the *magna charta* as *our ancestors had done before with a much better grace.*

Could we suppose a body politic framed *perfect* in its first conception or institution; yet, if the *administration* be ill, ignorant, or corrupt, too rigid, or too remiss, too negligent, or severe, these may justly occasion for the *present* some *discontent*.—Yet this is an evil, to which all sublunary things are subject, not only by accident, but even by natural dispositions, and which can

employments, and many others that are uneasy or ill entertained at home.—The forward, the busy, the bold, the sufficient, pursue their game with more passion, endeavour, application, and thereby often succeed where better men would fail.—In the course of my observation I have found no talent of so much advantage among men, towards their growing great or rich, as a violent and restless passion; for whoever sets his heart and thoughts wholly upon some one thing must have very little wit, or very little luck, to fail.—Yet all these cover their ends with most worthy pretences, and those noble sayings, “ MEN ARE NOT BORN FOR THEMSELVES, AND MUST SACRIFICE THEIR LIVES FOR THE PUBLIC, AS WELL AS THEIR TIME AND THEIR HEALTH:” and those who think nothing less are so used to say such fine things, that such who truly believe them are almost ashamed to own it.—In the mean time, the noble, the wise, the rich, the modest, those easy in their conditions or their minds, those who know most of the world and themselves, are not only careless, but often averse from entering into public charges or employments, unless upon the necessities of their country, the commands of their prince, or the instances of their friends.—What is to be done in this case, when such as offer themselves, and pursue, are not worth having, and such

such as are most worthy will *neither offer, nor perhaps accept.*

When, upon this occasion, complaints and discontents are sown among *well meaning men*, they are sure to be cultivated by *others* that are ill-intentioned and interested, and who cover their own ends under those of the public, and, by the good and service of the nation, mean nothing but their own.—The practice begins of knaves and fools, of artificial and crafty men upon the simple and the good; these easily follow, and are caught, while the others lay the trains, and pursue a game, wherein they design no other share, than of *toil* and *danger* to their company, but the *gain* wholly to themselves.—*They blow up sparks*⁰ wherever they find the *stubble is dry*: they find out *m miscarriages* wherever they are, and *forge them often where they are not*; they find *fault first with the persons in office*, and then *with the prince or state*¹; sometimes *with the execution of laws*, and

at

⁰ It is but *a foolish wisdom*, which is so *carefully displayed*, in *undervaluing* *princes*, and placing them on a level with the *meanest* of mankind.—To be sure, *an anatomist* finds no more in the *greatest monarch* than in the *lowest peasant or day-labourer*; and a *moralist* may, perhaps, frequently find *less*. But what do all these reflections *tend to*?—We, all of us, *still retain* these prejudices in favour of birth and family; and neither in our serious occupations, nor most careless amusements, can we ever get *intirely rid* of them.—*A tragedy,*

at other times with the institutions, how ancient and sacred soever.—They make alarms pass for actual dangers, and appearances for truth; represent misfortunes for faults, and mole-bills for mountains; and by the persuasion of the vulgar, and pretences of patriots, or lovers of their country, at the same time that they undermine the credit and authority of the government, they set up their own.—This raises a faction between those subjects that would support government, and those that would ruin it; or rather between those that possess honors and advantages of it, and those that, UNDER THE PRETENCE OF REFORMING, design only or chiefly to change the hands it is in, and care little what becomes of the rest.

When this fire is kindled, both sides inflame it; all care of the public is laid aside, and nothing is pursued but *the interest of the factious*^a; all regard of merit is lost in persons,

tragedy, that should represent the adventures of porters, would presently disgust us; but one that introduces kings and princes, acquires in our eyes an air of importance and dignity.—Or should a man be able, by his superior wisdom, to get entirely above such prepossessions, he would soon, by means of the same wisdom, again bring himself down to them, for the sake of society, whose welfare he would perceive to be intimately connected with them.—Far from endeavouring to undeceive the people in this particular, he would cherish such sentiments of reverence to their princes, as requisite to preserve a due subordination in society.

^a Of all men, that distinguish themselves by memorable achievements, the first place of honour seems due to **LEGISLATORS AND FOUNDERS OF STATES**, who

employed, and those *only* are chosen, that are *true* PARTY ; and the only talent required is, to be *ready*, to be true to the side he is on.—When

set a *system* of *Laws* and *institutions* to secure the *peace*, *happiness*, and future generations.—The influence of useful inventions in the arts *may*, perhaps, extend farther than that of wise laws, whose effects both in time and place ; but the benefit arising from the former is so sensible as that which results from the latter.—Speculative *may*, indeed, improve the mind ; but this advantage reaches only to a few, who have leisure to apply themselves to them.—And as to practices which increase the *commodities* and *enjoyments* of life, it is well to observe, that *men's happiness* consists not so much in an *abundance* of these, *peace* and *security* with which they *possess* them ; and *those blessings* can only be derived from *good government*.—Not to mention, that general virtue and *morals* in a state, which are so requisite to happiness, can never arise from *soft refined precepts* of philosophy, or even the severest injunctions ; but must proceed entirely from the *virtuous education of youth*, the *wise laws* and *institutions*.

As *LEGISLATORS* and *founders of states* ought to be honoured and *honoured* among men, as much ought the *founders of sects and factions* to be *detested* ; because the influence of *faction* is directly contrary to that of *union* ; *subvert government*, render *laws* *impotent*, and beget the *fiercest* animosity among *men of the same nation*, who ought to give *mutual assistance* to each other.—And what should render the *founders of parties* *despised* is, the difficulty of extirpating these weeds, when once they have *rooted* in any state.—They naturally propagate themselves for many centuries, and by the total dissolution of that government, in which they are sown.—They are, *besides*, *plants* which grow *most plentifully* in *soft soil* ; and though absolute governments be not entirely free from *weeds*, it must be confessed, that they rise more easily, and propagate themselves *in free governments*, where they always infect the legislature itself, and could be able, by the steady application of rewards and punishments, to eradicate them.

Y

these

these storms are raised, the *wise* and *good* are intirely laid aside or retire of themselves, and leave the scene to such as are more active and eager to get upon the stage.

From these seeds grow popular commotions, and at last seditions, which so often end in some fatal periods of *the best governments*.—I cannot leave this subject of *popular discontents* without reflecting and bewailing, *how much and how often* our country has been infested by them; how they have ravaged and defaced *the noblest island of the world, and which seems, from the happy situation, the temper of climate, the fertility of soil, the numbers and native courage of the inhabitants, to have been destined by God and nature, for the greatest happiness, or security at home, and to give laws, or balance at least, to all their neighbours abroad.*

Upon a clear survey of these dispositions in mankind, and the condition of all governments, it seems much more reasonable to *pity*, than to envy the fortunes and dignities of princes; and to lessen or excuse their venial faults, or at least *their misfortunes*, rather than to increase or make them worse by ill colours or representations.—**FOR AS EVERY PRINCE SHOULD GOVERN, AS HE WOULD DESIRE TO BE GOVERNED, IF HE WERE**

A SUBJECT, SO EVERY SUBJECT SHOULD OBEY, AS HE WOULD DESIRE TO BE OBEYED, IF HE WERE A PRINCE ; AND THIS MORAL DUTY OF DOING AS YOU WOULD BE DONE BY, EQUALLY REACHES AND APPLIES TO THE PEASANT AS THE CROWN ².

² Sir William Temple.

S E C T. XXI.

THE MOB.

THIS class of men can be brought to act in concert upon no other principles than those of a frantic enthusiasm and ungovernable fury; their profound ignorance and deplorable credulity make them proper tools for any man who can inflame their passions, or alarm their superstition; *and as they have nothing to lose by the total dissolution of civil society, their rage may be easily directed against any victim which may be pointed out to them.*—They are altogether incapable of forming a rational judgment either upon the principles or the motives of their own conduct; and whether the object for which they are made to contend, be good or bad, *the brutal arm of power* is all the assistance they can afford for its accomplishment.—To set in motion this inert mass, the eccentric vivacity of a madman is infinitely better calculated than the sober coolness of phlegmatic reason.—They need only to be provoked and irritated, and they

never

never can in any other manner be called into action. In the year 1780, they assembled at London to the number of 60,000, under the direction of Lord **GEORGE GORDON**, and carrying fire and rapine before them, were upon the point of giving the whole city of London to one undistinguished devastation and destruction: and this, *because the parliament had mitigated the severity of a sanguinary and tyrannical law of persecution against the Roman Catholics.*—Should these people be taught that they have a right to do every thing, and that the titles of kings and nobles, and the emoluments of public offices, are all usurpations and robberies committed upon them, I believe it would not be difficult to rouse their passions, and to prepare them for every work of ruin and destruction.—But, when they are once put in motion, they soon get beyond all restraint and controul.—*The rights of man, to life, liberty, and property, oppose but a feeble barrier to them; the beauteous face of nature, and the elegant refinements of art, the hoary head of wisdom, and the enchanting smile of beauty, are all equally liable to become obnoxious to them; and as all their power consists in DESTRUCTION, whatever meets with their displeasure must be devoted to ruin.*—Could any thing but an imperious, over-ruling necessity justify any man, or

body

body of men, for using *a weapon like this* to operate a revolution in government?—Such indeed was the situation of the French National Assembly, when they directed the electric fluid of this popular frenzy against the ancient fabric of their monarchy.—They justly thought that no price could purchase too dearly the fall of arbitrary power in an individual, but, perhaps, even *they* were not aware of all the consequences which might follow from committing the existence of the kingdom to the custody of a lawless and desperate rabble.

But do the people of England labour under such intolerable oppression, as would authorise any of *their patriots** to employ an arm like this for their relief?—Suppose sixty thousand men should again assemble round Westminster-hall, and with clubs and fire-brands for their *sole arguments*, should compel the parliament to alter the present form of government, what would be the **PROBABLE CONSEQUENCES**?—Is it clear that so large a majority of the people of England have lost all their attachment to their constitution, as to insure an

* *Patriots*, says Sir ROBERT WALPOLE, have a growth like mushrooms. It is but denying a place, or refusing an unreasonable demand, and up starts a *patriot*.

acquiescence in the measure throughout the kingdom? Is it certain that one quarter part of the people would obey an act extorted by such violence as this?—Would not all friends of the present government rather rally round the standard of the constitution, and would not their duty compel them to defend it with their lives and fortunes?—If it should soon appear that they were decidedly the strongest party, would not the insurrection be extinguished in the blood of its leaders?—If the parties should prove to be nearly equal, would not the nation be involved in all the horrors of a long and bloody civil war?—In whatever point of view, the effects of this scheme are contemplated, they present nothing but prospects at which every friend of mankind must shudder ^b.

^b Mr. Adams.

S E C T. XXII.

REASONS FOR CONTENTMENT AND FEAR.

THERE are many invincible arguments, which should induce the *malcontent party* in ENGLAND at this time to *acquiesce entirely in the present settlement of the constitution.*

Is not the *present monarchical government*, in its full extent, authorized by *lawyers*, recommended by *divines*, acknowledged by *politicians*, acquiesced in, nay passionately cherished, by the *people in general*; and all this during a period of at least a hundred and sixty years, and *till of late, without the smallest murmur or controversy?*—This *general consent* surely, during *so long a time*, must be sufficient to render a *constitution legal and valid*.—If the origin of all power be derived, as is pretended, from the *people*; here is *their consent* in the fullest and most ample terms that can be desired or imagined.

They must be sensible that the *plan of liberty* is *settled*; its *happy effects* are *proved* by *experience*; a *long tract*

tract of time has given it stability; and whoever would attempt to overturn it, would, besides other more criminal imputations, be exposed to the reproach of faction and innovation.—They must be sensible that *public liberty, with internal peace and order, has flourished almost without interruption: trade and manufactures, and agriculture, have increased: the arts, and sciences, and philosophy, have been cultivated.*—Even religious parties have been necessitated to lay aside their mutual rancour: and **THE GLORY OF THE NATION has spread itself all over EUROPE;** derived equally from our progress in the arts of peace, and from valour and success in war.—So LONG AND SO GLORIOUS A PERIOD NO NATION ALMOST CAN BOAST OF: NOR IS THERE ANOTHER INSTANCE IN THE WHOLE HISTORY OF MANKIND, THAT SO MANY MILLIONS OF PEOPLE HAVE, DURING SUCH A SPACE OF TIME, BEEN HELD TOGETHER, IN A MANNER SO FREE, SO RATIONAL, AND SO SUITABLE TO THE DIGNITY OF HUMAN NATURE.

It is well known, that *every government* must come to *a period*, and that *death* is unavoidable to the *political* as well as to the *animal body*.—But, as *one kind of death may be preferable to another*, it may be inquired, whether it be more desirable for the **BRITISH CONSTITUTION** to

terminate in a POPULAR GOVERNMENT, or in ABSOLUTE MONARCHY?—Here I would frankly declare, that, though liberty be preferable to slavery, in almost every case; yet I should rather wish to see an *absolute monarch* than a REPUBLIC *in this island*.—For, let us consider, what kind of republic we have reason to expect.—The question is not concerning any *fine imaginary republic*, of which a man may form a plan in his closet.—There is no doubt, but a popular government may be imagined more perfect than absolute monarchy, or even than our present constitution.—But what reason have we to expect that *any such government* will ever be established in BRITAIN, upon the dissolution of our monarchy?—If any single person acquire power enough to take our constitution to pieces, and put it up a-new, he is really an absolute monarch; and *we have already had an instance of this kind, sufficient to convince us, that such a person will never resign his power, or establish any free government*.—Matters, therefore, must be trusted to their natural progress and operation; and the house of commons, according to *its present constitution*, must be the *only legislature* in *such a popular government*.—The INCONVENIENCIES attending such a situation of affairs, present themselves by thousands.—*If the house of commons,*

ns, in such a case, ever dissolve itself, which is not expected, we may look for a civil war every election.— continue itself, we shall suffer all the tyranny of a subdivided into new factions.—And, as such a government cannot long subsist, we shall, at last, after convulsions, and civil wars, find repose in absolute by, which it would have been happier for us to have had peaceably from the beginning.—**ABSOLUTE MO-
RY, THEREFORE, IS THE EASIEST DEATH, THE
EUTHANASIA OF THE BRITISH CONSTITU-**

^a Hume.

S E C T. XXIII.

THE REPUBLIC OF GREECE.

THERE is not any thing more various and undefinable than *personable character*.—The same man is, at different times, so different from himself ; and such a variety of circumstances and motives direct or influence his behaviour, that it is difficult to give any such general description of him.—But the *characters of nations* are marked by bolder lines, and glow with warmer colours.—The causes and circumstances which discriminate one people from another, must be such as are fitted to operate on the multitude, and consequently of a nature equally powerful and permanent ; they are too strong and too palpable ever to be mistaken ; and the difference of sentiment and action which they introduce, is too considerable to escape the least attentive observer.

When we confine our attention merely to the public transactions of the Greeks, and consider either their wars

with the **PERSIANS**, in which they struggled for independence, against a foreign enemy, or their **DOMESTIC CONTENTIONS**, in which they fought against one another for pre-eminence, the *envy*, *disfrust*, and *animosity*, discovered on such occasions, may be easily converted, by a little heightening of eloquence, into *emulation*, *patriotism*, and *courage*.—*The virtues which animated a few great men, whose minds were elevated by the important measures which they were called to conduct, and whose illustrious merit historians and biographers have been at great pains to describe, are thus construed into general characteristics of the nation*.—On such partial grounds have authors, equally distinguished by genius and learning, described with admiration the manners and institutions of the Greeks.—In reading their elegant performances on this favourite theme, we seem transported into a new and unknown country, where the wonders of art, and the virtues of men, vie with the beauties of nature and the climate, and heighten the pleasures which they afford.—Impressed with these charming, but *fanciful descriptions*, we recal, at the name of Greece, the ideas of taste, eloquence, liberty, and virtue; and imagine, that we can never exhaust the praises of a people, among whom those inventions and discoveries, which form the chief

chief ornament of human nature, were originally produced; and, being reared with peculiar care, attained full vigour and maturity.—The merit of that system of government, in particular, which opened a field of improvement so beneficial to man, cannot, we think, be sufficiently extolled.—If genius be the father of refined arts, *liberty*, it has been asserted, is their *mother*.—She not only gives them birth, but nourishes and supports their infant state; and the advantages most glorious for Greece, because peculiar to that country, are commonly ascribed to the REPUBLICAN INSTITUTIONS first established there, unknown in a great measure to the rest of the ancient world, and never adopted in their full extent by any modern nation.

But when we examine the effect of the Grecian institutions, which afforded such scope to the *efforts of genius*, and to the *virtues and abilities of individuals*, on THE HAPPINESS OF THE NATION AT LARGE;—and when, in this view, we contemplate the transactions of those celebrated republics in negotiation or war, as enemies, colonies, or allies, our *admiration* is converted into *pity*.—No people seem to have paid less attention to those common but important maxims which have been introduced for the general benefit of society; and it may be

be affirmed, that their condition, even during the most brilliant period of their political existence, was more calamitous and afflicted, than that of any other polished nation which history describes.

The situation of a country with regard to its neighbours, and the revolution of public affairs, have doubtless a great influence on the manners of its inhabitants.—They are splendid and important objects, and have seldom failed to attract the attention which they deserve.—But the internal policy of a state, the abundance or scarcity of the things most necessary for life, the refinement or simplicity in which the people are accustomed to live, the progress of arts whether liberal or mechanical: these circumstances have a no less powerful effect in determining the national character; and, as they lie more concealed from ordinary observation, have commonly been neglected and forgotten.—In explaining their condition and extent, as well as their effect and tendency, among the Greeks, I shall not have occasion to describe, at any length, the singular institutions of LYCURGUS, which had ceased in a great measure to govern the SPARTANS³, before the commencement of the period of history which is the object of the present

* Xenophon, *de Repub. Lacedæm.* I. loc. in Archid.

inquiry.

inquiry.—Before this time, the different states of Greece had been gradually approaching to a near resemblance; and at the conclusion of the PELOPONNESIAN WAR, they had attained a striking similarity in government, manners, and laws ².—But the features of the Greek character, which sufficiently distinguish the whole nation from every other, were more prominent, if I may say so, in the ATHENIANS, than in any of the neighbouring people.—*To them*, therefore, my observations will more particularly relate; and I shall remark, in the progress of my discourse, the principal lines of deviation from ATHENIAN MANNERS in the other Grecian republics.

In the extensive and well regulated kingdoms of modern Europe, men are deterred from injustice by the certainty of punishment.—Their pretensions, as well as their obligations, are determined by positive institution, and private competitions are seldom allowed to disturb the public tranquillity.—*In the tumultuary governments of ancient Greece the causes of dissension were innumerable; while the feeble restraint of laws, ill administered, was unable to counteract their force.*—We need only open XENOPHON, THUCYDIDES, or DIODORUS SICULUS, to ob-

² Xenophon, de Repub. Lacedæm. lloc. in Archid.

serve the perpetual contests between rich and poor, between the friends of democracy and the partisans of aristocratical government.—ARISTOTLE informs us ^a, that in several republics, the higher ranks of people bound themselves by oath to neglect no opportunity of doing wrong to their inferiors.—We learn from XENOPHON ^b, that the populace of Athens commonly behaved to the rich, as if they had acted under the influence of an engagement no less atrocious. Amidst the opposition of contending factions in the smaller states, near one half of the community were frequently put to death ^c, or banished by the other; and, on many occasions,

^a Polit.

^b De Repub. Athen.

^c We shall mention from DIODORUS SICULUS alone a few massacres, which passed in the course of sixty years, during the most shining age of Greece. There were banished from SYBARIS 500 of the nobles and their partisans; lib. xii. p. 77. ex edit. RHODOMANNI. Of CHIANS, 600 citizens banished; lib. xiii. p. 189. At EPHESUS, 340 killed, 1000 banished; lib. xiii. p. 223. Of CYRENIA, 500 nobles killed, all the rest banished; lib. xiv. p. 263. The CORINTHIANS killed 120, banished 50; lib. xiv. p. 304. PHÆRIDAS the SPARTAN banished 300 BÆOTIANS; lib. xv. p. 342. Upon the fall of the LACEDEMONIANS, democracies were restored in many cities, and severe vengeance taken of the nobles, after the GREEK manner. But matters did not end there. For the banished nobles, returning in many places, butchered their adversaries at PHIALÆ, in CORINTH, in MEGARA, in PHILASIA. In this last place they killed 300 of the people; but these again revolting, killed above 600 of the nobles, and banished the rest; lib. xv. p. 357. In ARCADIA 1400 banished, besides many killed. The banished retired to SPARTA and to PALLANTIUM: the latter were delivered up to their countrymen, and all killed; lib. xv. p. 373. Of the banished from ARGOS and THEBES, there were 509 in the SPARTAN

sions, the vanquished party, reinforced by foreign assistance, returned back into their country, and retorted similar injuries on their unhappy opponents^a.—During these furious agitations, no more respect was paid to what was sacred than to what is profane.—Secret treachery conspired with open violence.—Even the principles of assassination were publicly avowed; and wretches boasted before numerous assemblies, of having insidiously murdered their fellow-citizens^b.

In the intervals of these violent paroxysms of party-rage, private quarrels kept the state in perpetual fermentation.—The competitions for civil offices, for military command, for honours at religious solemnities, or at public entertainments, opened an ever-flowing source of bitter animosity^c.—Neighbours were commonly at

army; *id.* p. 574. Here is a detail of the most remarkable of AGATHOCLES's cruelties from the same author. The people before his usurpation had banished 600 nobles; *ib.* xix. p. 655. Afterwards that tyrant, in concurrence with the people, killed 2000 nobles, and banished 6000; *id.* p. 647. He killed 4000 people at GELA; *id.* p. 741. By AGATHOCLES's brother 2000 banished from SYRACUSE; *ib.* xx. p. 757. The inhabitants of AGRIGENTA, to the number of 40,000, were killed, man, woman, and child; and with tortures, for the sake of their money; *id.* p. 802. All the relations, *viz.* father, brother, children, grandfather, of his LIBYAN army, killed; *id.* p. 803. He killed 7000 exiles after capitulation; *id.* p. 816. It is to be remarked, that AGATHOCLES is called a man of great sense and courage, and is not to be suspected of wanton cruelty, contrary to the maxims of his age.—HUM.

^a Diodor. lib. xv. et passim.

^b Lysias in Agorat.

^c Lysias in his Oration relative to a consecrated Olive.

variance.

variance.—Every one was regarded as an enemy, who had not proved himself a friend.—Hereditary resentments were transmitted from one generation to another; and the seeds of discord being sown in such abundance, yielded a never-failing produce of libels, invectives, and legal prosecutions^a.

The principal employment of six thousand Athenian citizens consisted in deciding law-suits.—The courts of justice were shut on the holidays^b, which engrossed two months in the year; so that during the remaining ten, the judicial office occupied a number of persons, almost equal to a third part of the whole community^c.—These

judges

^a Idem in Alcibiad. Isoc. ibid.

^b See Lyrias against the Exchequer.

^c When I meet with persons who reproach my countrymen, that a man will pass a whole year at Athens without terminating the affairs which brought him there, whether it depends on the senate, or the assembly of the people, I have for answer—That the sole cause of this delay is the immense number of affairs; and so great is that number, that Athens is not capable of sending them all back again, after their business is concluded.

And how can the Athenians expedite them all? being always obliged to celebrate more festivals than any other Grecian states (and on these days they have not much time to bestow on other affirs.). They have afterwards to decide a greater number of civil and criminal causes than are judged in all the rest of the universe; besides this the senate bestows much attention to the state of the finances and the war department. Those which are the constant cares of a state, such as attention to our allies, the receipt of the tributes, the care of the dockyards and marine arsenals, as well as what relates to religion and its worship, occupy a considerable portion of their time. Ought one to be surprised that the Athenians, overwhelmed with so many affairs, cannot terminate those of every particular?

judges determined causes not only between their fellow-citizens, but between the different subjects of the republic, who, comprehended under the various names of colonies, allies, or tributary states, were all equally amenable to the Athenian tribunals^a.—The profits arising from courts of justice afforded a valuable resource to the poorer citizens of Athens^b.—The fees to which they

Some reproach us, that there are yet ways left to terminate their affairs at Athens, and that whoever applies to the senate or the people, with money in his hand, will never be put off. I confess, by this method they finish many affairs at Athens, and that if more of the solicitors practised it, more business would be done. But I know well besides, that the Athenians will not suffer a number of urgent decisions to be settled, whatever bribery may be practised.—**XENOPHON.**

^a The populace behold with joy our allies coasting to Athens to prefer their numerous accusations, for in these states they hate any man that is virtuous. The Athenians know that the *sovereign country* is necessarily odious to the *people subjected*; and that if they suffer in the states the *rich*, or those who through other means *possess power* to aggrandise themselves, the *empire of the Athenian republic would not be of long continuance*. It is for THIS REASON they deprive *virtuous men* of their property, confiscate their estates, send them into *exile*, and even deprive them of life, at the same time they encourage and applaud wicked men. This reason is given by the way of apology by **XENOPHON**!

^b It appears, they reproach us for having enacted an oppressive law, in obliging our allies to try their causes at *Athens*. In answer to this, it will be proper to enumerate *all the advantages* which result to the *population of Athens*. In the first place, the *charges* of these suits turn immediately to *their profit*, and they receive, during the course of the year, justly speaking, a daily *revenue*; they can, moreover, by these means, govern all the *confederate states*, without an Athenian ever quitting his house, or putting a vessel to sea. They have

they were lawfully entitled, amounted annually to an hundred and fifty talents; *the bribes* which they received, probably exceeded that sum; and both united, composed a sixth part of the Athenian revenues.—As the far greater proportion of judges among that litigious people were chosen promiscuously from the whole body of the citizens, they excited nothing of that respect

have also, by these proceedings in the tribunals, *an opportunity of acquitting those who are attached to them, and to ruin, on the contrary, those who are of the opposite party.* But if the allied states had each of them their tribunals to decide their own causes, as they bear with impatience the yoke which we impose on them, they might use, perhaps, the same means to ruin those of their citizens who are most attached to the people of Athens.

It will be proper to mention here many other advantages which accrue to the people, from the necessity imposed on our allies to judge their legal affairs at Athens. The port duty which they levy in Pirea, and which they call the hundredth penny, produces considerably to the state. The hire of houses and slaves brings in great profit to the Athenians, who are the proprietors; and these voyages of our allies prove very advantageous to us; for the major part of our allies become seamen, and are able to work our vessels as soon as they come on board, because they are continually practising the art.

If the allies did not try their causes at Athens, they would only know, or respect, those of the Athenians who visit their coast, as the commanders of the corps of infantry, those of the gallies, and the delegates who are sent to them. Now each citizen of our allies is obliged to flatter, and conciliate himself with *all the populace*; for he foresees, that whether he has a cause at issue, or means to commence one, he must come to decide it here, not by certain magistrates, but by all the people, for such is the law at Athens. He is obliged to acquaint each Athenian in the court, to solicit him, and to take him courteously by the hand, when he enters. This custom has very much contributed to render our allies, much more than they otherwise would have been, the real slaves of the people of Athens.—*XENOPHON's Defence of the Athenians.*

which,

which, in most other nations, the exercise of judiciary power naturally commands.—Instead of magistrates elevated above the common rank, and prepared by a long course of laborious education for the honourable functions to which they are called, the Athenians invested persons in the *meanest station of life*, with a power to *explain the laws*, and to *decide questions*, where **FORTUNE, LIFE, and LIBERTY, were at stake.**—These judges were in every respect on a level with those whose differences they determined.—As they were accustomed to the same manner of life, and engaged in the same occupations or amusements, they were naturally animated by similar feelings, and actuated by similar motives.—Hence the Athenian pleadings wear an air of peculiar liberty; the parties descend into such particulars as before no ordinary tribunal could be admitted; and, exhibiting their sentiments and character without disguise or reserve, present the most interesting, because the most genuine picture, of the manners which distinguish that celebrated age.—From a superficial view of this judicial information, the most authentic surely that can possibly be obtained, it will appear in general, **THAT GREECE WAS NOT THAT HAPPY COUNTRY WHICH HAS BEEN OFTEN SO ELOQUENTLY DESCRIBED, NOR**

INHABITED

INHABITED BY THAT GENEROUS RACE OF MEN WHO ROSE SUPERIOR TO THE LITTLE PASSIONS OF ORDINARY MORTALS.—In many respects those *fierce republicans* differed from the nations with which we are best acquainted; but in many particulars also they agreed.—*The AMOR PATRIÆ was like the patriotism of modern times, more frequently pretended than real; their public spirit, hypocrisy; and while, in order to deceive one another, they continually talked of virtue and liberty, they had, at bottom, no other object in view, in all their civil contentions, but private interest and ambition*².

Their orations enable us not only to describe the Athenian character, but to point out the circumstances which chiefly contributed to form it.—In order to have a more complete view of this subject, we may consider the different classes of men in Athens as citizens, strangers, and slaves; and examine the manners which naturally resulted from each particular condition.—In a republic, where hereditary honours were unknown, and where the magistrates, appointed by lot, or elected by suffrage, returned at the year's end to a private station, distinction of ranks could only be founded, either

² See Lysias's defence of a citizen accused of destroying the ancient government.

on the personal merit, or private fortunes, of individuals.—Ancient writers continually speak of the *rich* and *poor* as the *two* principal divisions in the state.—They formed indeed *two distinct parties*^a; each of which had *its particular views* and *separate interests*—I shall hereafter have occasion to assign more particularly the limits of Athenian fortunes; it is sufficient for the present purpose to regard those as rich, whose estates yielded the necessary comforts of life.—This class of citizens, as well as the poorer sort, till the age of forty, were bound by the duty of personal service in defence of the republic.—When relieved from this oppressive task, they were loaded with the still severer burden of public contributions.—On all extraordinary occasions they were obliged to supply the deficiencies of the exchequer^b: it was their province to exercise every public office attended with expence^c; and many private acts of generosity were rather extorted from them, than solicited, by those

^a The Athenians never suffered any one to ridicule, in their comedies, *the mass of the people*, or speak disrespectfully of them, for they cannot bear to be satirised *themselves*. But they authorize, what d.d. I say? they excite the comic actors to display their humour in what particular they please, as they know the object of their irony will be, not a man of the popular party, or of the lower class of the Athenians; *but a rich citizen of a good and noble family*.—XENOPHON.

^b Isocrates on reforming the government of Athens.

^c Xenophon. de repub. Athen.

who stood in need of their assistance^a.—When called a second time to the performance of the same duties which had already half ruined their fortunes, no argument, how well soever it might be founded, and with whatever art it might be urged, was sufficient to excuse them.—They were compelled either to submit to the task, which their countrymen had imposed, or to exchange their estates with such as offered to undertake it^b.

Amidst these oppressive regulations, two circumstances were fitted to give peculiar uneasiness.—If the money required of the rich had been employed either for the relief of the distressed, or for the general interest of the community, good citizens might have consoled themselves by the prospect of *public benefits* for the loss of private fortune.—But it was not with a view to equip a fleet, to levy soldiers, to portion the daughters of the poor, or to employ their sons in agriculture and commerce, that the heaviest contributions were demanded^c.—A man might have performed all these generous offices, without being entitled to the public approbation.—*When an accusation was brought against him by those who envied*

^a *Lyrias* concerning the goods of Aristoph.

^b *Iloc.* *ibid.*

^c *Lyrias* concerning the goods of Aristoph.

his prosperity, and when his liberty and life were in danger, he solicited in vain the protection of his judges, unless he could describe his magnificence in religious festivals, in theatrical entertainments, in shows and figured dances exhibited for the amusement of the people^a.—The sums laid out for these extravagant purposes were the most profitably expended; and for these alone, he had reason to expect the highest returns of favour^b.

^a *Lyrias in defence of a citizen accused of bribery.*

^b *In order to recommend his client to the favour of the people, DEMOSTHENES enumerates all the sums he had expended. When χρηματα, 30 minas; Upon a chorus of men 20 minas; εισθιγγιται, 8 minas; αιδεστι χρηματα, 50 minas; κυκλικα χρηματα, 3 minas; Seven times, triarch, where he spent 6 talents: Taxes, once 30 minas, another time 40; γυμνασιεχα, 12 minas; χρηματα παιδικα χρηματα, 15 minas; κομεδαις χρηματα, 18 minas; πυρηχισται εγγεια, 7 minas; τριηται αμιλλομενθε, 15 minas; εργονομε, 30 minas: In the whole ten talents 38 minas.—An immense sum for an ATHENIAN fortune, and, what alone would be deemed great riches, *Orat. 2c.*—It is true, he says, the law did not oblige him absolutely to be at so much expense, not above a fourth.—But without the favour of the people, no body was so much at ease; and this was the ONLY way to gain it.—See further, *Orat. 24. de p. flatu.*—In another place, he introduces a speaker, who says that he had spent his whole fortune, and an immense one, eighty talents, for the people.—*Orat. 25. de prob. EVANDR.*—The μεταξαι, or strangers, find, says he, if they do not contribute largely enough to the people's fancy, that they have reason to resent it.—*Orat. 30. contra PHIL.*—You may see with what care DEMOSTHENES displays his expences of this nature, when he pleads for him self *de corona*; and how he exaggerates MIDIAS's ringines in this particular, in his accusation of that criminal.—All this, by the by, is a mark of a very injurious judicature: And yet the ATHENIANS valued themselves on having the most legal and regular administration of any people in GREECE.—HUME.*

But

But with regard to the money which he had been ordered to contribute for the defence of the state, he had no security that it should ever be applied for this beneficial purpose.—*The rapacity of the treasurers^a was as unbounded, as the injustice of the public was intolerable.*—The latter was open and avowed, and the citizens were so well accustomed to it, that they began to consider it in the same light with sickness, old rage, or any other natural calamity^b.—*The embezzlement of their magistrates, indeed, they bore not with equal patience.*—This is always spoken of with great warmth and indignation.—But reiterated complaints could not correct the disorder.—The only consolation left, was that those rapacious demagogues, after they had sufficiently enriched themselves by the plunder of their country, would in all probability be plundered in their turn, and banished, perhaps, or put to death^c.

I have already hinted at the irregularity of the Athenian tribunals; and the rich were the ordinary victims of their injustice.—These corrupt assemblies were liable to every species of undue influence.—The parties

^a Lyrias in defence of a citizen accused of bribery.

^b Lyrias against the exchequer;

^c Oration against Ergoicles, in the Life of Lyrias.

came into court attended by their friends, relations, and sometimes by almost all those of the same ward or district^a: they endeavoured to *seduce*, when they could not *intimidate*; perjury and false witnesses were extremely frequent^b; and while the plaintiff and defendant used every dishonourable art for accomplishing their designs, the judges gave loose reins to the most disorderly passions.—They were biased by particular affections or personal resentments; guided by the capricious fury of the vulgar, they punished with uncommon rigour the criminals who were first brought before them; when their rage began to subside, they afterwards became as weakly compassionate, as they had been before unjustly severe; they relented of their cruelty, and allowed, perhaps, the accomplices of those whom they had already condemned, or such, at least, as were tried for the same crimes, to escape unpunished^c.

By the irregular administration of justice between one man and another, property was rendered so precarious, that the possession of it could not afford any considerable enjoyment.—But it was always attended with extreme inconvenience.—The wealthy man lay at the mercy of every invidious accuser who might traduce his character, and

^a *Lic* of Lysias.

^b Lysias concerning the goods of Aristoph.

^c Lysias, *ibid. et passim.*

arraign his conduct.—Before he entered on the different offices, which he was obliged to undertake, the whole tenour of his behaviour, public and private, was carefully examined by his country^a.—After he had executed these offices, he was called to a strict account of his administration; and, till he had satisfied his judges in that particular, he could neither alienate, nor remove, any part of his fortune; he could not travail into foreign countries; and the loss of liberty was added to complete the sum of his misfortunes^b.—It was disputed at Athens, not without reason, whether the condition of the rich or poor was the most disagreeable; and *general opinion gave it against the rich*, though they themselves, from the avarice natural to man, were often unwilling to be divested of those possessions which only exposed them to innumerable hardships^c.

When we consider the unhappy situation of this class of citizens, it is not to be supposed that they bore any sincere affection to the government under which they lived.—They found it necessary, indeed, to assume the appearance, and to employ the cant, of patriotism, on all public occasions.—“ The surest revenue of the state

^a Lyrias against Evander. ^b Eschines in Ctesiphont.

^c Xenophon. *Sympol.*

is proved that, under *unjust pretences*, he frequently extorted money from the Athenian allies.—**ERGOCLES**, his friend, who had assisted him in re-establishing the democracy, and who had been an accomplice in many of his crimes, was impeached by **LYSIAS**, tried by the Athenian assembly, and condemned to death, after being stripped of the immense sum of thirty talents, which he had amassed by injustice ^a.—**THRASYBULUS**, by dying abroad, escaped a similar prosecution, which would probably have terminated in as disagreeable a punishment.

Few Athénians have been more generally admired than **THERAMENES**, who died rather than concur in the measures of the thirty tyrants ^b.—**XENOPHON** records his sayings in his last moments, when he displayed an alacrity and firmness of mind which deserve not to be found in any character that is not *truly virtuous*.—But the punishment of **THERAMENES**, we are assured, was justly inflicted.—*He overturned the democracy; betrayed his country to the Lacedæmonians; and he is accused of breach of friendship, of perfidy, and of murder* ^c.—After

^a See *Lysias against Ergocles* in the life of *Lysias*.

^b See introduction to the orations against *Agoratus* and *Eratosthenes*.

^c *Lysias against Eratosthenes*.

these patriots of the first magnitude, it is unnecessary to mention more obscure names;—to insist on the inhumanity of THEOMNESTUS, the injustice of EVANDER, the treachery of the younger ALCIBIADES, the rapacity of PHILOCRATES, the cruelty of PHILO^a; all of whom, though they pretended to the *highest political virtue*, and aspired to the first offices of state, *were convicted of crimes, which, in any modern country of Europe, would have subjected them to an infamous death.*

If such was the character of too many of those who were styled the *better sort* of people^b, it is not to be expected that their *inferiors in rank and fortune* should have behaved *more honourably*.—The greater part of the Athenian citizens were reduced to extreme indigence^c.—Although landed property was divided among more proprietors in Greece than in any modern country, *yet five thousand citizens of Athens are said to have enjoyed no immoveable possessions*.—Destitute of patrimony or income,

^a The orations of Lysias, *passim*.

^b Xenoph. *De Repub. Athen.*

^c There is no state where personal freedom is more tolerated than at Athens, both to slaves and strangers. It is not permitted here to beat a slave, nor will he even give way to you on the road for you to pass. I will shew the source of this local custom. If the law suffered a free man to beat a slave, a stranger, or a freed man, *he might lay violent hands on a citizen of Athens, taking him for a slave; for here the populace are not better habited than the slaves or strangers; they have no exterior distinction*.—ZENOPHON.

sufficient to procure the means of a decent subsistence, they were *too lazy* to acquire them by their own industry.—*MANY* led a *listless insignificant life*, sauntering about the public places, inquiring after news, satisfied with the gleanings of profit to be picked up in the courts of justice, or with the wretched subsistence allowed them by the treasury.—*Their dress was frequently so mean and dirty, that it was difficult to distinguish them from slaves*.—“*And how is it possible*,” adds *ISOCRATES*, “*that those who are deprived of the common necessaries of life, should give themselves any trouble about the government?*”—We find, accordingly, that they were exceedingly ill-qualified for executing those offices with which they were too often entrusted.—As they had in a great measure engrossed the administration of justice, it was not uncommon at Athens to bribe the clerks employed in transcribing the laws of Solon, to abridge, interpolate, and corrupt them.—What is still more extraordinary, such a gross device frequently succeeded; nor was the artifice discovered until the parties came into court with contradictory laws^b.

This lowest class of Athenian citizens, which, as we learn from *Isocrates*^c, was by far the most numerous,

^a *Xenoph. de repub. Athen.*

^b *Life of Lyrias.*

^c *Oration on reforming the Government of Athens.*

endeavoured to alleviate the misery of their condition by a very criminal consolation.—They persecuted their superiors, banished them their country, confiscated their estates, and behaved with unexampled licentiousness in the public assemblies^a.—It has been said, that though they were entitled to the first offices of state, they seldom attempted to obtain them^b.—But this observation is only true when confined to offices attended with expence.—When any profit could be reaped, they were ever ready to grasp it.—The management of the exchequer was the most lucrative employment in the republic; and to be entrusted with this charge, was the high ambition of all the popular demagogues.—Yet we have a list of treasurers, regularly succeeding one another, who were raised to this confidential office from the meanest ranks in life.—Low cunning and noisy impudence elevated EUCRATES, a seller of wool, to this important station.—He was succeeded by LYSCLES, a dealer in cattle, who excelled him in these accomplishments.—HYPERBOLUS, a maker of lamps, adding profligate debauchery to his other eminent qualities, was taken into high favour; but every competitor gave way to the matchless effrontery and bare-faced lies of CLEON, a

^a Isocrates on the Peace.

^b L'Esprit des Loix, b. i.

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laboured to alleviate the misery of their condition by a
y criminal consolation.—They persecuted their superiors,
rished them their country, confiscated their estates, and
oved with unexampled licentiousness in the public assem-
līs.^a—It has been said, that though they were entitled
the first offices of state, they seldom attempted to ob-
a them.^b—But this observation is only true when
infined to offices attended with expence.—When any pro-
could be reaped, they were ever ready to grasp it.—The
nagement of the exchequer was the most lucrative
ployment in the republic ; and to be entrusted with
s charge, was the high ambition of all the popular de-
gogues.—Yet we have a list of treasurers, regularly
ceeding one another, who were raised to this confi-
tial office from the meanest ranks in life.—Low cun-
g and noisy impudence elevated EUCRATES, a seller of
ol, to this important station.—He was succeeded by LY-
LES, a dealer in cattle, who excelled him in these ac-
plishments.—HYPERBOLUS, a maker of lamps, adding
ffigate debauchery to his other eminent qualities, was
en into high favour; but every competitor gave way to
matchless effrontery and bare-faced lies of CLEON, a

^a Isocrates on the Peace.

^b L'Esprit des Loix, b. i.

currier, and the son of a man who had long exercised the same liberal profession^a.—It appears, therefore, that although the Athenians were sometimes directed by the justice of an ARISTIDES, the abilities of a PERICLES, or the virtue of a PHOCION, they more frequently listened to men of an opposite character^b.—*The most turbulent, dissolute, and licentious, commonly prevailed in the assembly; and specious qualities carried off the rewards due to real merit.*—ISOCRATES^c assures us of the fact; and XENOPHON^d affirms, that it is perfectly agreeable to the nature and principles of the Athenian constitution^e.—

From

^a Aristoph. Equit. et Vesp.

^b I can positively assert, says Zenophon, that the people of Athens know very well who are the virtuous, and who are the factious citizens; but from this knowledge it results, that they attach themselves more to those *who suit them*, whom they know are at *their disposal*, however great their roguery. They thoroughly detest every one who possesses virtuous sentiments, as they are persuaded the virtue of their fellow citizens (far from being advantageous) will be prejudicial to *them*. If they protected the *moderate men*, they strengthened a party the *most opposite* to their projects. For in any state they are not men of the most exemplary character who favour popular caprice; on the contrary, they are supported by those who are *the most factious*. And it is natural each have a kind of sympathy of action, and the same principles bind them to each other.

^c Oration on reforming the Government of Athens.

^d De Repub. Athen.

^e But the populace are never solicitous to obtain those important employments, on which depend the sole safety of the Republic, or that would threaten

From the manners of those elected into the first offices, we may discover the general character of the electors.—*It was a compound of cruelty, fraud, drunkenness, debauchery, and every vice degrading to human nature*^a.

The most miserable and most numerous class of inhabitants in Athens, were THE SLAVES.—These were treated with great severity in all the Grecian republics.—Deprived of every privilege belonging to them as men, they were punished, insulted, and tormented, at the will of a capricious master.—It was even customary to afflict them with wanton and unprovoked cruelty, and to subject them, without any offence on their part, to stripes and blows ; that every spark of ingenuous nature being extinguished, they might be the better fitted for submitting to an entire and unreserved obedience.

Such was their general treatment over all Greece ; but at SPARTA it was still more intolerable.—As the citi-

it with any danger, whether these employs are lucrative or burthensome ; there are no persons among the most numerous class of the people, who think they have interest enough to obtain the command of the different corps of infantry or cavalry ; all of them know perfectly well, that it is their interest not to interfere in these establishments, but to resign them to more considerable citizens : *at the same time, there are NONE but will endeavour to procure the other principal employments in the Republic, from which they may derive emolument, and make their private fortune*.—XENOPHON.

^a See Lysias against Simon. Wound from Malice aforethought, &c.

zens of that republic, when unemployed in war or political affairs, wholly addicted themselves to hunting and other amusements, the ground was cultivated, and all mechanical professions exercised, by slaves only.—These increased to such a pitch, as to become formidable to the state.—Hence they were watched with uncommon attention, and *murdered by way of sport*, or *to inure the young Spartans to blood*; and when any danger seemed to arise from them, *butchered by thousands, in a manner too shocking to be described*^a.—The conduct of the ATHENIANS with regard to their slaves was reckoned more gentle than that of any of their neighbours.—DEMOSTHENES asserts, that it was better to be a slave in Athens, than a denizen in many other republics^b.—But this is spoken like an orator; for he allows that his countrymen commonly preferred the evidence of slaves, which was always extorted by torture, as a more infallible method of discovering the truth, than the testimony of freemen^c.—LYSIAS frequently takes notice of the same barbarous practice.—The Athenian citizens were fond of wearing long hair, which was therefore forbidden to slaves.—*These unhappy men were depressed by every other mortifying dis-*

^a Plut. in Lycurg.

^b Philip. II.

^c In Oniter.

tinction,

tion, treated as creatures of an inferior species, and might be used, as LYSIAS affirms, in any manner that seemed good to their masters^a.—Such was the boasted gentleness of the Athenian institutions; and the effects of them on the character of masters and slaves were equally pernicious.—The former, being accustomed to treat with severe harshness those who were subject to their authority, could not be expected to entertain very humane sentiments for their fellow-citizens. The latter, exposed as they were to continual indignities, and degraded below the condition of human nature, became insensible to every manly feeling; and, governed by hatred, resentment, malice, and all the worst passions incident to the human frame, “they were always more desirous of obtaining liberty by the destruction of their masters, than by the merit of their own services^b.”—HENCE THE MANNERS OF THE WHOLE NATION WERE TAINTED WITH A SAVAGE FEROCITY, OF WHICH IT IS NOT EASY, IN THE PRESENT AGE, TO FORM AN IDEA: AND EVEN THE BEST GREEK WRITERS, INFECTED BY THE GENERAL CONTAGION, DESCRIBE WITH A

^a Wound from Malice aforethought.

^b Life of Lysias. Lysias's Oration relative to a consecrated Olive.

CALM, UNFEELING INDIFFERENCE, SUCH ATROCIOS
BARBARITIES AS OUGHT NATURALLY TO EXCITE
HORROR.

The hospitality of ancient times, which was deemed so important a virtue by private families ^a, was little regarded by the public.—The *strangers* who resided in Athens, though extremely numerous, were reduced to a condition nearly resembling that of emancipated slaves.—Possessed of personal freedom, they enjoyed no political or civil rights.—They had a patron indeed, who was entitled to much deference and respect, and to many important services, in return for the assistance which he afforded.—If they neglected to perform these services, *their patron withdrew his protection; in consequence of which, their whole property was confiscated to the Athenian republic* ^b.—Besides this misfortune, which frequently befel them, they were obliged to pay *ten drachmas c annuall to the exchequer*; and if they failed in making this acknowledgment at the appointed time, they were immediately *sold as slaves by the officers of the revenue* ^d.

^a Aul. Gell. lib. v. c. 13.

^b Iyfias against Philo.

^c Hesychius.

^d Demosthen. Orat. 1. in Aristogit.

Before this actually took place, they were, in one material point, on the same footing with those subjected to domestic servitude.—*Strangers*, as well as *slaves*, were liable to be put to the question, and to have their evidence extorted by torture^a.—As foreigners were more numerous in Athens than in any other of the Grecian states, it is probable, that every where else they were treated still more rigorously; and the situation of *exiles*, we may suppose, was still more miserable than that of other strangers.—Hence the continual lamentations of those who are in danger of *banishment*; a penalty bought equal to death itself^b.—Hence likewise we may observe the rigour of the Grecian laws, particularly **THE OSTRACISM**, which prevailed not only in Athens, but in all the democratical states^c.—By this institution, any citizen deemed formidable on account of his power, his riches, or his eloquence, might be banished during ten years, and reduced, of course, to the wretched condition above described^d.

The wealth of individuals; in all the states of Greece, was extremely inconsiderable, when compared with the

^a Lysias against Simon.

^b Lysias, *passim*.

^c Aristot. *Polit.* lib. iii. c. 13.

^d Plut. in *Vit. Aristid.*

opulence of the modern inhabitants of Europe.—The narrow circumstances of the Athenians afford sufficient evidence of the excessive poverty of their neighbours.—**SOLON** divided his fellow-citizens into four classes^a.—Those of the first possessed as much land as was sufficient to produce annually five hundred *medimni*^b of grain; the estates of the second produced three hundred; those of the third, two hundred; and the lowest class were either entirely destitute of immoveable property, or possessed such small shares of land as were of very inconsiderable value.—In the time of **LYSIAS**, there were no less than five thousand citizens who had no landed estates^c; and the farms cultivated by others could not afford them any better subsistence than that of the meanest cottagers^d.—The income indeed of a few great families much exceeded what was necessary, by the regulations of **SOLON**, to constitute them of the first class.—But even the richest Athenians were by no means possessed of what would be at present deemed a magnificent fortune.—The estate of **CONON**, who had

^a Plut. in Solon. ^b Thirteen *medimni* are equal to fourteen bushels.

^c Lysias. ^d Lysias against the Exchequer.

been employed in many successful expeditions against the enemies of his country, exceeded not 9000l.—That of Nicophemus, which the Athenians were at great pains to appropriate for the public service, scarcely amounted to 4000l.—HIPPONICUS, who is called by Xenophon^a and by Isocrates^b the richest of the Greeks, was not worth 38,000l., admitting the computation of those who had an interest to exaggerate his wealth.—And even the splendid ALCIBIADES, whose magnificence is so highly extolled by all Greek writers, was never master of 20,000l.^c—*Although we make allowance, therefore, for the high value of money in ancient times, we must still entertain a very mean idea of Grecian opulence.*—The wealthy few enjoyed but moderate fortunes, while by far the greater part lived in very straitened and miserable circumstances.

Agreeably to these observations, we may remark, in the descriptions of ancient writers, an extreme simplicity of manners in every thing relative to private life.—*The Grecian houses, furniture, table, dress, were all of the*

^a *Econom.*

^b *In defence of Alcibiades.*

^c *Lyrias's Oration relative to the Goods of Aristophanes.*

meanest kind Their houses commonly consisted of *two floors*, the *lower* of which was often employed as *a magazine* for holding the provisions necessary for the family^a. —In the habitations of the richer citizens, the apartments of the women were separated from those of the men, and the bath was frequently situated between them.—There is a striking example in *Lysias* of the little value which the middling ranks of people put upon their dwellings.—*A man, rather in affluent circumstances for an Athenian, succeeds to the house of his brother.—He continues in it a year, until the provisions stored in the ground-floor are consumed, and then abandons it to go elsewhere*^b.—The furniture of their houses, excepting pictures and statues (of which hereafter), appears to have been of the plainest kind.—The *LACEDÆMONIANS* made use of no other instruments but the *saw* and the *hatchet* in preparing their household accommodations^c. —Their more improved neighbours seem to have been so little acquainted with what the rudest nations in modern Europe regard as the conveniences of life, that,

^a Xenophon. *Œconom.* *Lysias* against *Eratosth.*

^b *Lysias* against *Diogeton.*

^c *Plut.* in *Lycurg.*

n latter times, they were ignorant of *the use of beds*,
ere satisfied with reposing on the ground^a.—*Their
was entirely of woollen*, which originally cost them
ittle; but *the dirtiness of it* put them afterwards to
deal of expence in the article of **PERFUMES**^b.—
Athenians indeed were much given to the pleasures
table, which **XENOPHON** considers as an effect of
extensive commerce.—They imported, he says,
xiuries of **ITALY**, **SICILY**, **CYPRUS**, **LYDIA**,
us, and **PELOPONNESUS**.—*But the greater part of
tizens*, as both **XENOPHON**^c and **ISOCRATES**^d ob-
could not afford *these delicacies*; and they seldom
ided to give any *private entertainments*; they con-
l themselves with *public feasts*, which were cele-
d with greater expence in proportion as the intervals
een them were more distant.

very, as it has been observed, prevailed over all
ce; but the slaves were principally occupied in arts,
ufactories, or agriculture, and rarely employed as
ments of luxury or ostentation.—Even the better

^a Idem in **Pelopid.**

^b **Lysias**, *ibid.*

^c *De Repub. Athen.*

^d *Discourse on Reforming the Government of Athens.*

sort of people at Athens submitted to the meanest domestic offices.—Their ordinary manner of life was extremely uniform.—Part of *every morning* was commonly spent in public acts of religion.—The bulk of citizens frequented, in *the forenoon*, the public assembly, or the different courts of justice.—Those whose presence was unnecessary there, and who disdained to be employed in any mechanical occupation, amused themselves with their military exercises, sauntered in the public walks, or loitered in the shops of musicians, and other artists, in which they are said to have thrown away the greatest part of their time^a.

As *the morning* was dedicated to religion, and *the forenoon* to business, so *the evening* was the time of pleasure and dissipation.—*They had no great variety of those amusements which are found necessary in polished societies to divert languor, and to fill up the vacuities of a listless life.*—Games of hazard are always mentioned with such disgrace, that they must not have been in general use; and none but the most profligate and abandoned seem to have been much addicted to them^b.—The men supped

^a Life of Lysias. Illocrates in Acrop.

^b Lysias against Alcibiades, et passim.

apart

apart from the women: those of better fortune commonly invited a few friends^a; and THE BOTTLE appears to have formed a material part of the entertainment.—PLATO^b allows the *free use of wine* in these convivial suppers; as nothing, he says, has a greater tendency to dispose the mind to that benevolence which often terminates in friendship.—Even SOCRATES is represented drinking in LARGE GLASSES with Agathon and Aristophanes till *early in the morning*.—The conversation, on such occasions, was often lively and agreeable, but sometimes as licentious as the debauchery was excessive^c; and so little ashamed were the Greeks of *their vices*, that they affected to practise them as duties of religion.—Their solemn festivals commonly ended with a supper, at which they thought themselves obliged to *get drunk* in honour of the gods^d.—This circumstance had, doubtless, its effect, in distinguishing their superstition from that of the eastern nations, from whom they had borrowed the most essential parts of their religious belief.—The worship of the EGYPTIANS was dark and gloomy; that of the GREEKS, gay and

^a Lyrias against Eratosthenes, p. 423.

^b Symbol.

^c Idem, ibid.

^d Aristot. ad Nichom. lib. viii.

cheerful.

cheerful.—Even the Egyptian hymns were melancholy, and consisted of complaints and lamentations; but the Grecian solemnities concluded with songs of triumph and exultation^a.—It had been fortunate for the Greeks, had they confined their debaucheries to stated times of convivial merriment; BUT THEY FREQUENTLY INTOXICATED THEMSELVES AT ALL HOURS OF THE DAY; and their excesses in a vice peculiarly hurtful in a warm climate to the powers of the understanding, led them to commit *such follies and absurdities* as are scarcely to be credited^b.

From this short description of their manner of life, it is natural to conclude, that they had made but small progress in the arts of society.—These flourish in cities, and the most polished people of Greece much affected a country life.—XENOPHON's beautiful description of rural happiness, proves that he had felt its charms; and both THUCYDIDES^c and ISOCRATES^d assure us, that the Athenians of the first rank seldom lived in the city.—Hence *agriculture* was reckoned an honourable employ-

^a Apuleius de genio Socratis.

^b Lyrias, Wound from Malice. Against Simon, &c.

^c Lib. ii.

^d In *Areopag.*

ment;

ment; but the rules of it were little attended to, and less understood^a.—Commerce was still more neglected.—That of the Athenians, though comparatively great, must have been extremely inconsiderable in itself.—There could be little competition between traders, when a ship often doubled the value of her cargo by a voyage from Athens to the Adriatic^b.—The spirit of industry was checked by the absurd mode of taxation; *credit, the soul of commerce, was destroyed by the Grecian institutions, which rendered property precarious*; and not only the public, but private persons, were obliged to pay an exorbitant interest for the money which they had occasion to borrow^c.

The wants and luxuries, however, of one climate are not the same with those of another.—*A comfortable dwelling, abundance of the necessaries of life, and all those domestic conveniences which industry and commerce may procure, are deemed, in northern countries, essential to happiness.—Deprived of the advantages which these objects afford, human life would be exposed to innumerable hardships; and to obtain them in great plenty, and in high perfection, is, therefore, the main aim of industrious applica-*

^a Xenophon. *Œconom.*

^b Lyrias against Diogeiton.

^c Lyrias in Aristoph.

tion.—But in Greece, the ingenuity of man can impart few additions to the happy influence of the climate.—Nature, requiring little, has given almost all that she requires; and art is less employed in warding off inconveniences which are weakly felt, than in procuring delights which are highly relished.—The pleasures of the eye and the ear obtain a preference to other gratifications; and poetry, painting, music, statuary, and eloquence, furnish the most essential articles of luxury.—*Notwithstanding the unhappy policies*, therefore, which prevailed in that country, and the inconsiderable progress of the Greeks in what are called the *useful arts*, they acquired unrivalled fame in those which are merely *ornamental*.—*The rage of foreign war*, as well as *the turbulence of domestic faction*, both of which were deeply rooted in the nature of the Grecian institutions, produced such effects on the progress of refined arts, as could neither have been foreseen nor expected.—The former encouraged *valour*, the latter *eloquence*; and wherever these qualities are called forth, and exerted in an eminent degree, talents, both military and civil, must attain a proportionable improvement.—The concurring influence of accidental causes promoted the same beneficial end, and favoured the dawning efforts of

Grecian genius.—A delightful climate, a picturesque country, an harmonious language, a poetical religion; the effect of these, singly, was great; but much greater when united; and conspiring harmoniously together, they operated not only with full force, but in proper direction.

When we contemplate, however, the high attainments of the nation in general, in all the *refined arts*, we examine their character in the most favourable light in which it can possibly be viewed.—*Their magnificence in public solemnities, religious processions, and theatrical entertainments*, followed as a natural consequence; and *these matters are continually insisted on by the fond admirers of antiquity*.—But it is evident, from what has been already observed in this discourse, that neither the general improvement of manners, nor the arts of conversation and society, kept pace with the progress of those splendid, but useless amusements; and if we consider the *treatment and character of the fair sex*, even among the most cultivated people of Greece, the same conclusion will be rendered still more apparent.

During the early ages of society, men are either employed in acquiring the means of subsistence, or in invading their enemies and repelling their attacks.—The

natural delicacy and timidity of women render them less qualified for these occupations.—Hence, among rude nations, they are treated with neglect, and often reduced into servitude.—But when civilization has been carried to a certain pitch; when arts, manufactures, and commerce, have made known the conveniences and refinements of polished life, talents of the agreeable kind come to be in general request, and are soon universally esteemed.—In all these, women are fitted by nature to excel.—The imperfections of their sex gradually disappear; they become the objects of affection, acquire respect, and assume that distinguished station in society, which is not demanded with more justice on the one side, than yielded with readiness on the other.

These observations seem natural and obvious; and are justified, I believe, by the general history of mankind.—Yet they are not conformable to what actually took place in Greece.—Among the Athenians, a people famous indeed on account of their martial spirit, but unrivalled in the arts of peace, not more learned than polite, *according to the ideas of that age*, and distinguished by an excessive passion for those refined entertainments which prevail in polished nations, and which they enjoyed in peculiar elegance and perfection, *the treatment* of

of women was most ungenerous and unnatural.—Excluded from the public shows and amusements, deprived even of the pleasures of domestic society, and scarcely venturing to open their lips in the presence of their nearest relations^a, they were confined with the utmost rigour to the most retired apartments of the family, employed in the meanest offices, and considered in every respect rather as the servants than as the equals of their fathers or husbands.—It was thought indecent for them to venture abroad, unless to accompany a funeral^b, to be present at a sacrifice, or to assist at some other religious solemnity.—Even on these occasions they were generally accompanied by persons who watched their behaviour.—The most innocent freedom was construed into a breach of modesty; and their reputation, once sullied by the smallest reproach, could never afterwards be retrieved.

If such severities had been exercised against them from that jealousy which often attends a violent love, and of which a certain degree is, perhaps, inseparable from a delicacy in the passion between the sexes, their condition, though not less miserable, would have been less contemptible.—But this could not be the case; the Athenians were utter strangers to that refinement of sentiment with

^a Lyrias against Diogeiton.

^b Lyrias, p. 420.

regard

regard to the fair sex^c, which renders them the objects of a timid but respectful passion.—Married or unmarried, the Athenian women were kept in equal restraint; no pains were taken to render them, at any one period of their lives, agreeable members of society; and their education was either entirely neglected, or confined, at least, to such objects as, instead of elevating and enlarging the mind, tended only to humble and to debase it.—The uncommon rigour with which they were confined, was not therefore with a view to promote their own advantage, but only to render them better qualified for those services which the Athenians required them to perform.

Though neither fitted for appearing with honour in society, nor for keeping company with their husbands, they were thought capable of superintending their domestic œconomy, of acting as stewards in the family, and thus relieving the men from a multiplicity of little cares, which they considered as unworthy of their attention and unsuitable to their dignity.—The whole burden of such necessary, but humble concerns, being imposed on the women, their early treatment and first instructions were adapted to that *lowlife state*, beyond which

^c *Lyrias*, p. 435.

they

they could never afterwards aspire.—Nothing was allowed to divert their minds from those servile occupations, in which it was intended that their whole lives should be spent; no liberal idea was presented to their imagination, that might raise them above the mechanical and vulgar arts, in which they were ever destined to labour: above all, no liberty of thought or fancy was permitted them; the smallest familiarity with strangers was deemed a dangerous offence, and any attachment beyond their own family, a heinous crime.—When they were fit for the state of wedlock, which, in the climate of Greece, happened long before their reason and understanding had arrived at maturity, they were given in marriage by *their relations*, WITHOUT BEING CONSULTED ON THE SUBJECT; and by entering into this new situation, they only exchanged the severe guardianship of a father for the *absolute government* of a husband.—As the Athenians seldom married but from motives of *conveniency*, and at a more advanced period of life than is ordinary in other countries^a, their good-will and affection could only be excited by the birth of an heir, or gradually acquired by a careful oeconomy and constant circumspection^b.—

^a Aristoph. *Lysistrat.*

^b *Lyrias*, p. 420.

Even the laws of Athens favoured this unjust treatment of women, so inconsistent with all the rules of modern gallantry; and without attending to the condition of the fair sex in that republic, it is impossible to understand the spirit of their laws.

SOCRATES is introduced in Xenophon's *Memorabilia** conversing with ISCHOMACHUS, an Athenian citizen, who, by his good sense and great worth, had obtained universal esteem.—The philosopher desires to know, how he had acquired the favourable opinion of a people by no means famous for viewing one another's actions in the most advantageous light.—ISCHOMACHUS endeavours to satisfy him, by explaining in what manner he managed his family—*His wife, he observes, is an excellent economist, or housewife; and little thanks to herself; for he had taken care to form her to so useful an office.—She was married before fifteen years of age; and the chief attention bestowed on her before that period, had consisted in allowing her to see as little, to hear as little, and to ask as few questions as possible.—What she knew, therefore, was next to nothing.—He began to instruct her, by saying, that it was the least part of his design in marrying her to have a*

* Lib. v. *De administ. domestic.*

bed-fellow;

bed-fellow; because this might be easily obtained by far less trouble and formality.—His main object was to have a person, in whose discretion he could confide, who would take proper care of his servants and household, and lay out his money usefully and sparingly.—Yet this ISCHOMACHUS, who directed his wife to these gentle occupations, had been at different times trierarch, had been appointed to execute several other of the most expensive offices in the state, and was reckoned exceedingly rich^a.—By such ungenerous treatment were the most amiable part of the human species degraded, among a people in many respects the most improved of all antiquity.—They were excluded from those convivial entertainments and that social intercourse which Nature had fitted them to adorn.—Instead of leading the taste and directing the sentiments of men, their own value was estimated, like that of the most indifferent objects, only by the profit which they brought.—Their chief virtue was reserve, and their point of honour, œconomy.

Thus have I endeavoured to explain the institutions and customs which prevailed in the Grecian states, as well as the condition and character of the different classes which composed them.—I have not attempted to em-

^a Lyrias, p. 409.

bellish the portrait, much less to delineate an *ideal* beauty.—If there is any merit in the picture, it consists in *its resemblance to the original*.

But it would be injustice to these celebrated republics to omit an observation which is made by many Greek writers, and which is founded on undoubted truth.—When the Athenian² orators had excited the resentment of their audience, by loading them with a multitude of reproaches, they often soothed their angry passions by talking of the glory of their ancestors.—Athens, they asserted, was distinguished above all cities in the world for producing men of an elevated and refined genius, fitted to excel alike in the career of arts and arms, and to command respect by the noblest virtues of the mind.—This, indeed, is the peculiar glory of all Greece, that, amidst the turbulence of democratical faction, the general corruption, and ferocious barbarity of the times, *many characters were formed which do honour to human nature*.—For the most improved state of society is not always most favourable to the highest perfection of the individual: where the *fermentation* is most violent, the *purest spirits* are sometimes extracted; and the boldest

² Isoc. and Demosth. *passim*.

and most creative geniuses have flourished in the rudest and least cultivated ages.—*These extraordinary men* were not carried along by the torrent of popular opinion ; they were sensible of the vices and follies of their countrymen ; they perceived the source of their errors, and foretold their effects.—On every subject they thought differently from the vulgar, and particularly on religion, government, and manners.

But it is not the object of this discourse to describe the *characters of great men*.—I have endeavoured to exhibit the *general manners of the people* ; and, from the whole, it seems reasonable to conclude, that, *if* these republicans excelled the modern inhabitants of Europe in mental vigour and abilities, *they fell short of them in every indulgent and amiable virtue* : if they surpassed all mankind in ardour, eloquence, and the talents which are required on extraordinary occasions, *they were little acquainted with the agreeable improvements of ordinary intercourse and conversation* ; and if they attained unrivalled perfection in the refined arts, *they were extremely deficient in those which contribute to the comfort and happiness of private life*.—Their best qualities were all of the *splendid* kind.—Their behaviour on the great theatre of war and politics excites *admiration*.—Their history exhibits a *pompous spectacle*

than to have been exposed to its violence*.

* GILLIES.

S E C T. XXIV.

THE ROMAN REPUBLIC.

THE ROMANS, after having banished their KINGS, appointed CONSULS *annually*; a circumstance which contributed to raise them to so exalted a pitch.—In the lives of all princes there are certain periods of ambition, and these are afterwards succeeded by other passions, and even by indolence; but the commonwealth being governed by magistrates, who were changed *every year*, and who endeavoured to signalize themselves in their employment, in the view of obtaining new ones, *ambition had not a moment to lose*.—Hence it was that these magistrates were ever persuading the senate to *stir up the people to war*, and pointed out to them new enemies every day.

This body (the senate) was inclined enough to do this of their own accord; for, being quite *tired* of the *complaints and demands of the people*, they endeavoured to remove the occasion of their disquiet, and to employ them in foreign wars.

Now, the *common people* were generally *pleased*, with war, because a method had been found to make it *beneficial to them*, by the judicious distribution that was made of the spoils.

Rome being a city in which neither trade nor arts flourished, the several individuals had no other way of enriching themselves but BY RAPINE.

In fine, those citizens who staid at home shared *also* in the fruits of the victory; for part of the conquered lands was confiscated, and this was subdivided into *two* portions, *one* of which was sold for the benefit of the public, and the *other* divided by the commonwealth among such citizens as were but in poor circumstances.

As the consuls had no other way of obtaining the honour of a triumph than by a conquest or a victory, this made them rush into the field with unparalleled impetuosity; they marched directly to the enemy, when force immediately decided the contest.

ROME was therefore engaged in an *eternal* and *ever-obstinate war*^a.—Now, a nation that is always

^a The more ancient Romans lived in perpetual war with all their neighbours: and in old *LATIN*, the term *HOSTIS*, expressed both a stranger and

ways at war, and that too from the very frame and essence of its government, must necessarily be destroyed, or subdue all other nations; but these being sometimes at war, and at other times in peace, could never be so able to invade others, nor so well prepared to defend themselves.

By this means the *Romans* attained a perfect knowledge in the military arts: in transient wars most of the examples are lost; peace suggests different ideas, and we forget not only our faults but even virtues.

Another consequence of the maxim of waging perpetual war, was, that the *Romans* never concluded a peace

an enemy. This is remarked by CECERO; but by him is ascribed to the humanity of his ancestors, who softened, as much as possible, the denomination of an enemy, by calling him by the same appellation which signified a stranger. *De Off.* lib. ii. It is, however, much more probable, from the manners of the times, that the ferocity of those people was so great as to make them regard all strangers as enemies, and call them by the same name. It is not, besides, consistent with the most common maxims of policy or of nature, that any state should regard its public enemies with a friendly eye, or preserve any such sentiments for them as the ROMAN orator would ascribe to his ancestors. Not to mention, that the early ROMANS really exercised piracy, as we learn from their first treaties with CARTHAGE, preserved by POLYBIUS, lib. iii. and consequently, like the SALLEE and ALGERINE rovers, were actually at war with most nations, and a stranger and an enemy were with them almost synonymous.—HUME.

The *Romans* considered foreigners as enemies: *Hofis*, according to *Varro de Lingua Lat.* lib. 4. signified at first a foreigner who lived according to his own laws.—MONTESQUIEU.

but

but when they were victorious; and, indeed, to what purpose would it be to make an ignominious peace with one nation, and afterwards go and invade another?

In this view their pretensions rose always in proportion to their defeat; by this they *surprised* the conquerors; and laid themselves under a *greater necessity* of conquering.

Being for ever obnoxious to the most severe vengeance, *perseverance* and *valour* became *necessary virtues*: and these could not be distinguished, among them, from self-love, from the love of one's family, of one's country, and of whatever is dearest among men.

The world in that age was not like the world in ours: voyages, conquest, traffic; the establishment of mighty states; the invention of post-offices, of the sea-compacts, and of printing; these, with a certain general polity, have made correspondence much easier, and given rise, among us, to an art, called by the name of **POLITICS**: every man sees at one glance whatever is transacting in the whole universe; and if a people discover but ever so little ambition, all the nations round them are immediately terrified.

It was manifestly seen, during the short time that the *tyranny* of the **DECEMVIRS** lasted, how much the aggrandizing

grandizing of *Rome* depended on its liberty.—The government seemed to have lost the ^a soul which animated even to the minutest part of it.

There remained at that time but *two* sorts of people in the city, *those who submitted to slavery*, and *those who, for their own private interest, endeavoured to enslave the rest*.—The senators withdrew from *Rome* as from a foreign city; and the neighbouring nations did not meet with the least resistance from any quarter.

As the people of EUROPE, in this age, have very near the same arts, the same arms, the same discipline, and the same manner of making war; the prodigious fortune to which the ROMANS attained, seems incredible to us. Besides, power is at this time divided so disproportionately, that it is not possible for a petty state to raise itself, merely by its own strength, from the low condition in which Providence has placed it.

This merits some reflections, otherwise we might behold several events without being able to account for them; and for want of having a perfect idea of the *different situation of things*, we should believe, in perusing

^a These *Decemviri*, upon pretence of giving written laws to the people, seized upon the government. See *D. Halicarnass.* *Lib. 11.*

antient history, that we view a set of men different from ourselves.

Experience has shewn perpetually, that an *European prince* who has a million of subjects, cannot, without destroying himself, keep up and maintain above ten thousand soldiers; consequently, great nations only are possessed of armies.

But the case was different antiently with regard to **COMMONWEALTHS**: for this proportion between the soldiers and the rest of the people, which is now as one to an hundred, might, in those times, be, pretty near, as one is to eight.

The *avarice* of some particular persons, and the *lavish profuseness* of others, occasions the lands to become the property of a few; immediately arts are introduced to supply the reciprocal wants of the rich and poor; by which means there were but very few soldiers seen; for the revenues of the lands that had before been employed to support these, are now bestowed wholly on *slaves and artificers*, who administer to the luxury of the new proprietors: and it is impossible that people of this *cast* should be *good soldiers*, they being *cowardly and abject*; already *corrupted* by the *luxury of cities*, and often by the *very art they professed*; not to mention, that as they could

not

not properly call any country their own, and reaping the fruits of their industry in *every clime*, they had very little either to lose or keep.

A MONARCHY is not dragged nearer to the brink of ruin, by the *tyranny* of a prince, than a COMMONWEALTH, by a *lukewarmness* and indifference for the general good.—The *advantage* of a *free state* is, to have its revenues employed to better purposes, but where the reverse of this happens! The *advantage* of a *free state* is, to be free from favourites; but when the contrary is seen! And that instead of the friends and relations of a prince, *great fortunes* must be *amassed* for the friends and relations of all persons who have any share in the government; in this case an *universal ruin* must ensue; the laws are then eluded more dangerously, than when infringed by a *sovereign prince*, who being always the *greatest citizen in the state*, is most concerned to labour at its preservation.

During the course of mighty prosperity, in which it is usual for mankind to *forget themselves*, the SENATE *continued to act* with the *same depth of judgment*; and whilst their armies were spreading an *universal terror*, they would not suffer those to *rise* who were once cast to the ground.

A TRIBUNAL existed which judged *all nations*: at the close of every war it determined the *rewards* or *punishments* which every one had merited: it took away from the vanquished people part of their lands, and gave them to their allies, in which it did two things; it engaged in the interests of ROME, *princes* from whom they had *little to fear*, and *much to hope*; and they *weakened others* from whom they had *nothing to hope*, and *every thing to fear*.

In warring with an enemy they made use of their allies, but immediately *extirpated* the *destroyers*. PHILIP was overcome by the assistance of the *Ætolians*, who were *destroyed presently after*, for having joined themselves to ANTIUCHUS.—THIS KING was overcome by the assistance of the RHODIANS; but after the most conspicuous rewards had been bestowed upon them, they were *depressed for ever*, upon *pretence* that they had demanded to have a peace concluded with PERSIUS.

When the ROMANS were opposed by several enemies at the same time, *they granted a truce to the weakest*, who thought themselves happy in obtaining it; considering it as a great advantage, that their ruin had been suspended.

When

When they were engaged in a mighty war, the **SENATE** winked at wrongs of every kind, and silently waited the season proper for chastisement: if at any time a people *sent them* the *offenders*, they refused to punish them, chusing rather to consider the *whole nation as guilty*, and to reserve themselves a **USEFUL** vengeance.

As they made their enemies suffer *inexpressible evils*, very few leagues were formed against them; for he who was at the greatest distance from the danger, did not care to come near it.

For this reason *war was seldom denounced against them*, but themselves always made it at a season, in the manner, and with a people, as best suited their interest; and among the great number of nations they invaded, there were very few but would have submitted to injuries of every kind, provided they could but be suffered to live in peace.

As it was usual for them to deliver themselves always in a magisterial way, such ambassadors as they sent to nations who had not yet felt the weight of their power, were sure to meet with *ill treatment*, which furnished them with a sure ^a pretence to engage in a new war.

^a See an example of this, in their war with the *Dalmates*. See *Polybius*.

As they never concluded a peace with sincerity and integrity, and intended a general invasion, their *treaties* were properly but so many **SUSPENSIONS FROM WAR**; they inserted such conditions in them, as always paved the way to the ruin of those states who accepted them: they used to send the garrisons out of the strong-holds; they regulated the number of the land forces, or had the horses and elephants delivered up to them; and, in case this people were powerful at sea, they obliged them to burn their ships, and sometimes to remove higher up in the country.

After having destroyed the armies of a prince, they *drained his treasury*, by imposing a heavy tribute, or taxing him immoderately, under colour of making him defray the expence of the war: *a new species of tyranny, which obliged him to oppress his subjects, and thereby lose their affection.*

Whenever they granted a peace to some prince, they used to take one of his brothers or children *by way of hostage*, which gave them an opportunity of raising, at pleasure, commotions in his kingdom: when they had the *next heir* among them, it was their custom to intimidate the *possessor*: had they only a prince of a remote degree,

degree, they made use of him to foment the insurrections of the populace.

Whenever any prince or any people had withdrawn from their allegiance, they immediately indulged them with the title of ^a *Ally* to the ROMANS ; and by this means they became sacred and inviolable ; so that there was no monarch, how formidable soever, who could rely one moment upon his subjects, or even upon his own family.

Although the title of their ally was a kind of servitude, it ^b yet was very much sought after ; for those who enjoyed it were sure to receive no injuries but from them, and had reason to flatter themselves they would be less grievous ; hence nations and kings were ready to undertake any kind of services, and submitted to the meanest and most groveling acts, merely for the sake of obtaining it.

When they permitted any cities the enjoyment of their liberties, they immediately raised two ^c *factions* in them, one of which defended the laws and liberties of the country, whilst the other asserted, that the will of the

^a See particularly their Treaty with the *Jews* in the 1st Book of the *Maccabees*, ch. 8.

^b *Ariarathes* offered a sacrifice to the gods, says *Polybius*, by way of thanks for having obtained their alliance.

^c See *Polybius* on the Cities of *Greece*.

Romans was the only law ; and as the latter faction was always the most powerful, it is plain such a liberty could be but a mere name.

They sometimes possessed themselves of a country upon *pretence* of being *heirs* to it : they entered *Asia*, *Bithynia*, and *Libya*, by the last wills of *Attalus*, of *Nicomedes*^a, and of *Appion* ; and *Egypt* was enslaved by that of the king of *Cyrene*.

To keep *great princes* for ever in a *weak condition*, they would not suffer them to conclude an alliance with those nations to whom they had granted theirs^b, and as they did not refuse it to any people who bordered upon a powerful prince, this condition, inserted in a treaty of peace, deprived him of all his allies.

Besides, when they had overcome any considerable prince, one of the articles of the treaty was, that he should not make war, upon account of any feuds of his own, with the allies of the *Romans* (that is to say, generally with all his neighbours) ; but should submit them to *arbitration*, which deprived him of a military power for the time to come.

And in order to keep the sole possession of it in their own hands, they bereaved their very allies of this force ;

^a The son of *Philætor*.

^b This was *Antiochus's* case.

the

the instant these had the least contest, they sent ambassadors, who obliged them to conclude a peace: we need but consider the manner in which they terminated the wars of **ATTALUS** and **PRUSIAS**.

When any prince had gained such a conquest as *had exhausted him*, immediately a **ROMAN** ambassador came and *wrested it out of his hands*: among a multitude of examples, we may remember how they, with a single word, drove **ANTIOCHUS** out of *Egypt*.

When they saw *two nations* engaged in *war*, although *they were not in alliance*, nor had any contest with either of them, they nevertheless appeared upon the stage of action, and, like our knight-errants, always sided with the *weakest*: it was an ² antient custom, says *Dionysius Halicarnassus*, for the *Romans* to grant succour to all who came to implore it.

THESE CUSTOMS OF THE ROMANS WERE NOT CERTAIN PARTICULAR INCIDENTS, WHICH HAPPENED BY CHANCE, BUT WERE SO MANY INVARIABLE PRINCIPLES; AND THIS IS EASY TO PERCEIVE, FOR THE MAXIMS THEY PUT IN PRACTICE AGAINST THE GREATEST MONARCHS WERE EXACTLY THE SAME

² A fragment of *Dionysius*, copied from the extract of embassies, made by *Constantine Porphyrogeneta*.

WITH THOSE THEY HAD EMPLOYED, IN THEIR INFANT STATE, AGAINST THE LITTLE CITIES WHICH STOOD AROUND THEM.

Whenever there happened *any feud in a state*, they immediately judged the affair, and thereby were sure of having *that party only* whom they *condemned* for their *enemy*.—If *princes of the same blood* were *at variance for the crown*, they sometimes declared them *both kings*, and by this means crushed the power of both: If *one of them* was a ^a *minor*, they declared in *his favour*, and made themselves *his guardians* in quality of protectors of the world; for they had carried matters to so high a pitch, that nations and kings were their subjects, without knowing directly upon *what right or title*; it being a maxim, that the bare hearing of their names was sufficient for a people to acknowledge them their sovereigns.

When any state composed too formidable a body from its situation or union, they never failed to *divide it*.—The republic of ACHAIÀ was formed by an *affocation* of free cities; the senate declared, that *every city* should from that time be governed by its own laws, *independent* on the *general authority*.

^a To enable themselves to ruin *Syria*, in quality of *guardians*, they declared in favour of the son of *Antiochus*, who was but a child, in opposition to *Demetrius* who was their hostage, and conjured them to do him justice, crying, that *Rome* was his mother, and the *senators* his fathers.

The commonwealth of *Bœotia* rose likewise from a league made between several cities; but, as in the war of *PERSEUS*, one city declared for that prince, and others for the *Romans*, the latter received them into favour when the common alliance was dissolved.

Macedonia was surrounded by inaccessible mountains: the senate divided it into four parts; declared those free; prohibited them every kind alliance among themselves by marriage; carried off all the nobles into *Italy*, and by that means reduced this power to nothing.

The *ROMANS* never engaged in *far-distant wars*, till they had first made an alliance with some power contiguous to the enemy they invaded, who might unite his troops to the army they sent; and as this was never considerable with regard to numbers, they always had ^a another in that province which lay nearest the enemy, and a third in *Rome*, ever ready to march at a moment's warning.—In this manner they never hazarded but a small part of their forces, whilst their enemy ventured all his.

They sometimes insidiously abused the subtlety of the words of their language: they destroyed *Carthage* upon pretence that they had promised to preserve the *civitas*,

^a This was their constant practice, as appears from history.

not the *urbs*^a.—It is well known in what manner the *Ætolians*, who had abandoned themselves to their faith, were imposed upon; the *Romans* pretended that the signification of these words, *abandon one's self to the faith of an enemy*, impiled the loss of all things; of persons, lands, cities, temples, and even of burial places.

The *Romans* would even go so far, as to give arbitrary explanations to treaties: thus, when they were resolved to depress the *Rhodians*, they declared, that they had formerly given them *Lycia*, not by way of present, but as a friend and ally.

When one of their generals concluded a peace merely to preserve his army, which was just upon the point of being cut to pieces, the senate, who did not ratify it, took advantage of this peace, and continued the war.—Thus when *JUGURTHA* had surrounded an army of *Romans*, and permitted them to march away unmolested, *upon the faith of a treaty*, these very troops he had saved were employed against him: and when the *NUMANTINES* had reduced *twenty thousand Romans*, just perishing with hunger, to the necessity of suing for peace; this peace, which had saved the lives of so many

^a There is sometimes this difference between *civitas* and *urbs*; the former signifies the *inhabitants*, the latter the *buildings*.

thousand citizens, was broke at *Rome*, and the public *faith* was eluded by ^a sending back the *consul* who had signed it.

They sometimes would *conclude a peace* with a monarch upon *reasonable conditions*, and the instant he had *executed them*, they added others of so injurious a nature, that he was forced to renew the war.—Thus, when they had forced *JUGURTHA* to ^b *deliver up his elephants, his horses, his treasures, and his deserters*, they required him to *surrender up his person*, which being the greatest calamity that can befall a prince, cannot for that reason be ever made an article of peace.

In fine, they set up a *tribunal* over kings, whom they judged for their particular vices and crimes: they heard the complaints of all persons who had any dispute with *PHILIP*: they sent deputies with them by way of *safe-guard*, and obliged *PERSEUS* to appear before these, to answer for certain murders and certain quarrels he had with some inhabitants of the confederate cities.

^a After *Claudius Glycias* had granted the *Corficans* a peace, the senate gave orders for renewing the war against them, and delivered up *Glycias* to the inhabitants of the island, who would not receive him.—Every one knows what happened at the *Furcae Caudine*.

^b They acted the same part with regard to *Viriatus*: after having obliged him to give up the deserters, he was ordered to surrender up his arms; to which neither himself nor his army could consent.—*Fragment of Dion.*

As men judged of the glory of a general by the quantity of the gold and silver carried in his triumph, the Romans stripped the vanquished enemy of all things—Rome was for ever enriching itself; and every war they engaged in, enabled them to undertake a new one.

All the nations who were either friends or confederates, quite ^a ruined themselves by the immensely rich presents they made, in order to procure the continuance of the favours already bestowed upon them, or to obtain greater; and half the monies which used to be sent upon these occasions to the Romans, would have sufficed to conquer them.

BEING MASTERS OF THE UNIVERSE, THEY ARROGATED TO THEMSELVES ALL THE TREASURES OF IT; AND WERE LESS UNJUST ROBBERS, CONSIDERED AS CONQUERORS, THAN CONSIDERED AS LEGISLATORS.—
Hearing that PTOLEMY king of *Cyrius* was possessed of immense wealth, they ^b enacted a law, proposed by a tribune, by which they gave to themselves the inheritance of a man still living, and confiscated to their own use the estates of a confederate prince.

^a The presents which the senate used to send kings were mere trifles; as a chair and an ivory staff, or a robe like to that worn by their magistrates.

^b *Divitiarum tanta fama erat, says Florus, ut victor gentium populus, & donare regna consultus, socii virique regis confiscationem mandaverit.*—Lib. iii. c. 9.

In a little time the greediness of *particular persons* quite devoured whatever had escaped the *public avarice*; magistrates and governors used to sell their injustice to kings: two competitors would ruin one another, for the sake of purchasing an ever-dubious protection against a rival who was not quite undone; **FOR THE ROMANS HAD NOT EVEN THE JUSTICE OF ROBBERS, WHO DISCOVER A CERTAIN PROBITY IN THE EXERCISE OF GUILT.**—In fine, as rights, whether lawful or usurped, were maintained by money only; princes, to obtain it, despoiled temples, and confiscated the possessions of the wealthiest citizens; a thousand crimes were committed, purely for the sake of giving to the ROMANS all the money in the universe.

BUT NOTHING WAS OF GREATER ADVANTAGE TO THIS PEOPLE THAN THE AWE WITH WHICH THEY STRUCK THE WHOLE EARTH: IN AN INSTANT, KINGS WERE PUT TO SILENCE, AND SEEMED AS THOUGH THEY WERE STUPID; NO REGARD WAS HAD TO THEIR EMINENCE, BUT THEIR VERY PERSONS WERE ATTACKED; TO HAZARD A WAR, WAS TO EXPOSE THEMSELVES TO CAPTIVITY, TO DEATH, TO THE INFAMY OF A TRIUMPH.—**THUS KINGS, WHO LIVED IN THE MIDST OF POMPS AND PLEASURES, DID NOT DARE TO**

FIX THEIR EYES STEDFASTLY ON THE ROMAN PEOPLE; AND THEIR COURAGE FAILING THEM, THEY HOPED TO SUSPEND A LITTLE THE MISERIES WITH WHICH THEY WERE THREATENED, BY THEIR PATIENCE AND GROVELING ACTIONS.

Observe, I intreat you, the conduct of the *Romans*.—After the defeat of *Antiochus* they were possessed of **AFRICA**, **ASIA**, and **GREECE**, without having scarce a single city in these countries that were immediately their own.—They *seemed* to conquer with no other view but *to beslow*; but then they obtained so complete a sovereignty, that whenever they engaged in war with any prince, they oppressed him, as it were, with the weight of the whole universe.

The time proper for seizing upon the conquered countries was not yet come.—Had the *Romans* kept the cities they took from **PHILIP**, the *Greeks* would have seen at once into their *designs*: had they, after the second *Punic* war, or that with *ANTIOCHUS*, possessed themselves of lands in **AFRICA** and in **ASIA**, they could never have preserved conquests so slightly established.

^a They did not dare to venture their colonies in those countries; but chose rather to raise an eternal jealousy between the *Carthaginians* and *Messinissa*, and to make both those powers assist them in the conquest of *Macedonia* and *Greece*.

It was the interest of the Romans to wait till all nations were accustomed to obey, as free and as confederate, before they should attempt to command over them as subjects; and to let them blend and lose themselves, as it were, by little and little, in the Roman commonwealth.

This was a slow way of conquering: after overcoming a nation, they contented themselves with weakening it; they imposed such conditions as consumed it insensibly: if it recovered, they depressed it still more, and it became subject, without there being a possibility of dating the era of its subjection.

Whilst ROME was conquering the world, a *hidden war* was carrying on within its walls: these were fires like those of volcanos, which break out the instant they are fed by some combustible substance.

After the *expulsion of the kings*, the government became *aristocratical*: the patrician families, only, obtained all the employments and dignities in the ^a state, and consequently all honours civil and military.

The *patricians* being determined to prevent, if possible, the return of the kings, endeavoured to *foment the*

^a The patricians were invested, in some measure, with a sacred character, and they only were allowed to take the *auspices*.—See in *Livy*, Book VI. the Speech of *Afpius Claudius*.

restless principle which now prevailed in the minds of the people; but they did more than they would willingly have done: by attempting to inspire them with a *hatred for kings*, they fired them with an *inordinate thirst for liberty*.—As the royal authority had devolved entirely upon the consuls, the people found they were far from possessing that liberty they were taught to idolize: they therefore sought for methods by which they might depress the *consulate*; and procure *Plebeian magistrates*; and share the *Curules*, or greater employments, with the nobles.—The patricians were forced to comply with all the demands of the people; for in a city, where wealth, that clandestine path to power, was despised, neither birth nor dignities could bestow any great advantages: it was therefore necessary for power to fall into the hands of the greater number, and for aristocracy to change by insensible degrees into a *popular state*.

Those who are subordinate to a king, are less tortured with envy and jealousy than such as live under an hereditary aristocracy: the prince is at so great a distance from his subjects that he is scarce seen by them, and is raised so far above them, that they cannot conceive any relation capable of giving them disgust: but when the nobles preside in a state, they are exposed to the eyes of

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all men, and are not seated so high as to prevent odious comparisons from being made perpetually; and, indeed, *the people have detested nobles in this and in all ages.*—Such commonwealths in which birth does not bestow any share in the legislature, are the happiest in *this respect*; for it is natural that the people should not bear so much envy to an authority which they bestow on whom they think proper and resume at will.

The people being disgusted at the patricians, withdrew to the sacred hill (Mons sacer), whither deputies being sent, they were appeased: and as they all made a promise to assist one another, in case the patricians should not perform their ^a engagement; which would have created seditions every moment, and disturbed all the magistrates in the exercise of their functions, it was judged better to create an officer, ^b who might protect the people against any injustice that should be done them: but by a malady for ever incident to man, the plebeians, who had obtained TRIBUNES merely to defend them, employed those very magistrates to annoy others; so that they stripped, by insensible degrees, the patricians of all their privileges.—This gave rise to everlasting contests.—The PEOPLE were supported, or rather animated, by their tribunes; and

^a *Zemaras, Lib. II.*

^b *Origin of the tribunes of the people,*

the PATRICIANS were defended by the *senate*, the greatest part of which consisted of patricians, who were more inclined to favour the ancient maxims, and afraid that the populace would raise some tribune to arbitrary power.

The *people* employed in the defence of this magistrate their own strength, and the superiority they had in the suffrages; their refusal to march into the field; their threats to go quite away; the partiality of their laws; in fine, their sentences pronounced against those who had opposed them too vigorously: the *senate* defended themselves by their wisdom, their justice, and the love they inspired for one's country; by their beneficence, and the prudent distribution of the treasures of the commonwealth; by the veneration which the people had for the glory of the principal ^a families, and the virtue of illustrious personages; by religion itself, the ancient in-

^a The people had so great a veneration for the chief families, that although they had obtained the privilege of creating plebeian military tribunes, who were invested with the same power as the consuls, they nevertheless always made choice of patricians for this employment.—They were obliged to put a constraint upon themselves, and to enact, that there should ever be a plebeian consul; and when any plebeian families were raised to employments in the state, they afterwards were always carried: it was with difficulty that the people, notwithstanding the perpetual desire they had to depress the nobility, depressed them in reality; and when they raised to honours some person of mean extraction, as *Varro* and *Marius*, it cost them very great struggles.

stitutions, and the prohibition of days of public meeting, upon pretence that the auspices had not been favourable; by their clients; by the opposition of one tribune to another; by the creation of a ^a dictator, the occupations of a new war, or the misfortunes and calamities which united all parties: in a word, by a paternal condescension, in granting the people part of their demands, purposely to make them relinquish the rest; and by that steadfast maxim, of preferring the safety of the republic to the prerogatives of any order or public employment whatsoever.

In process of time, when the plebeians had depressed the patricians to such a degree, that this ^b distinction of families was empty and fruitless, and that both were indiscriminately raised to honours, *new contests arose* between the populace, whom their tribunes spirited up, and the chief families, whether patrician or plebeian, which latter were styled nobles, and were favoured by

^a The patricians, to defend themselves, used to create a dictator, which proved of the greatest advantage to them; but the plebeians having obtained the privilege of being elected consuls, could also be elected dictators, which quite disconcerted the patricians.—See in *Livy*, Lib. viii. in what manner *Publius Philo* depressed them in his dictatorship.—He enacted three laws, by which they received the highest prejudice.

^b The patricians referred to themselves only a few offices belonging to the priesthood, and the privilege of creating a magistrate called *Inter-rex*.

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the senate that was composed of them: but, as the ancient manners subsisted no more; as particular persons were possessed of immense wealth, and that it is impossible but wealth must give power; these nobles made a stronger resistance than the patricians had done, *which occasioned the death of the GRACCHI, and of several persons who followed their plan.*

I must take notice of an office which greatly distinguishes the polity of *Rome*; it was that of the *censors*.

M. LIVIUS ^b censured the people themselves, and degraded thirty-four tribes out of the thirty-five to the rank of those who had no share in the privileges of the city; for (*said this Roman*) *you first condemned me, and afterwards raised me to the consulate and the censorship; you therefore must either have prevaricated once in punishing me, or twice, in creating me consul and afterwards censor.*

Authors

^a As *Saturninus* and *Glaucias*.

^b *Livy*, Lib. xxix.

^c I am persuaded (says the celebrated Spanish traveller, the Rev. Mr. TOWNSEND) that ours is, and that *none* but a *mixed government* can be *free*.—Under the Roman kings, the patricians and plebeians were not *free*; under the decemvirs, the plebeians were miserably oppressed; the tribunes of the people, in their turn, sacrificed the patricians; and when the power of the consuls happened to balance that of the tribunes, every thing stood still, or fell into such anarchy and confusion, that the consuls were obliged to name a dictator

Authors enlarge very copiously on the *divisions* which proved the destruction of *Rome*, but their readers seldom discover *those divisions to have been always necessary and inevitable*.—Dissensions were not to be prevented; and *those martial spirits*, which were so fierce and formidable *abroad*, could not be habituated to any *considerable moderation at home*.—Those who expect in a free state to see *the people undaunted in war, and pusillanimous in peace*, are certainly desirous of *impossibilities*; and it may be advanced as a general rule, that whenever a *perfect calm is visible*, in a state that calls itself a *republic*, **THE SPIRIT OF LIBERTY NO LONGER SUBSISTS.**

Union, in a body politic, is a very equivocal term: *true union* is such a harmony as makes all the particular parts, as opposite as they may seem to us, concur to the general welfare of the society, in the same manner as *discords* in music contribute to the general melody of sound.—*Union* may prevail in a state full of seeming *commotions*; or, in other words, there may be an *harmony* from whence results *prosperity*, which alone is *true peace*, and may be considered in the same view as the various parts of this *universe*, which are eternally

for the time, with despotic power.—These ever have been, and ever must be, the miserable effects of power, when not *properly balanced*, as in *the constitution of our government*.—*Vide Free Thoughts on Despotic Governments.*

connected

connected by the operations of some, and the reactions of others.—Hence the *opposition party* is no defect in the constitution of the BRITISH GOVERNMENT, unless it be desirous of *subverting* the *mixed form*.

I am of opinion that the sect of *Epicurus*, which began to be propagated at *Rome* towards the close of the republic, was very prejudicial to the minds and genius of the people^a.—The *Greeks* had been infatuated with its doctrines long before, and consequently were corrupted much earlier than the *Romans*.—We are assured by *Polybius*, ^b that *oaths*, in his time, could not induce any person to place confidence in a *GREEK*, whereas they were considered by a *Roman* as inviolable obligations upon his conscience.

There is a passage in one of *Cicero's letters to Atticus*, which manifestly discovers how much the *Romans had degenerated in this particular* since the time of *Polybius*.

^a *Cynas* having discoursed of the doctrines of this sect at the table of *Pyrrhus*, *Fabrixius* said, he wished the *enemies* of *Rome* would all embrace such kind of principles.—*Life of Pyrrhus*.

^b If you lend a talent to a *Greek*, and bind him to the repayment, by ten engagements, with as many securities, and witnesses to the loan, it is impossible to make them regard their word; whereas, among the *Romans*, whether it be owing to their obligation of accounting for the public and private money, they are always punctual to the oaths they have taken.—For which reason, the apprehensions of infernal torments were wisely established, and it is altogether irrational to oppose them at this time.—*Polyb. l. vi.*

^c *Lib. iv. lct. 18.*

MEMMIUS (says he) imparted to the senate the agreement *he* and his fellow-candidate had made with the *consuls*, by which *these* stipulated to favour the *others* in their solicitations for the consulship the ensuing year; *and these* obliged themselves to pay four hundred thousand sesterces to the *consuls*, if they did not furnish them *th* *three augurs*, who should declare they themselves *were* present when the **PEOPLE MADE THE CURIATIAN LAW^a**, though in reality it had not been enacted; and two *former consuls*, who should affirm they had assisted at *giving the EDICT OF THE SENATE WHICH REGULATED THE STATE OF THE PROVINCES ASSIGNED TO THE PRESENT CONSULS*, notwithstanding no such *edict* *was in being*.—What an admirable set of people do we discover in a single contract!

The grandeur of the state, in general, constituted the *wealth* of its particular members; but as **AFFLUENCE consists in conduct**, and not in *riches*; that wealth of the *Romans*, which had *certain limitations*, introduced a **luxury** and profusion which had *no bounds*.—Those who

^a The *Curiatian* law disposed of the military power, and the edict of the state regulated the troops, the money, and officers, that were to be allotted the governors: now the *consuls*, in order to accomplish these particulars to *their own satisfaction*, contrived a *false law* and a *false edict of the senate*.

had been at first corrupted by their opulence, received the same taint in their *poverty*, by *aspiring after acquisitions that no way comported with private life*; it was difficult to be a **GOOD CITIZEN** under the influence of strong desires and the regret of a large fortune that had been lost: people, in this situation, were prepared for any desperate attempt; and, as *Salust*^a says, there was, ~~at~~ **THAT TIME**, a generation of men, who, as they had no patrimony of their own, could not endure to see others more prosperous than themselves^b.

The chief difference between the *domestic economy* of the ancients and that of the moderns consists in the practice of **SLAVERY**, which prevailed among the former, and which has been abolished for some centuries throughout the greatest part of **EUROPE**.—Some passionate admirers of the ancients cannot forbear regretting the loss of this institution; and whilst they brand all submission to the government of a single person with the harsh denomination of Slavery, they would gladly reduce the greatest part of mankind to *real slavery and subjection*.—

^a *Ut merito dicatur genitos esse, qui nec ipsi habere possent vox familiari, nec alios pati.*—Fragment of *Salust*, cited by *Augustin* in his book of *The City of God*, Lib. ii. c. 18.—See also **CATALINE**'s speech against the *ubique rich men of the states*.

^b *Montesquieu.*

But to one who considers coolly on the subject it will appear, that human nature, in general, really enjoys *more liberty at present, in the most arbitrary government of Europe, than it ever did during the most flourishing period of ancient times.*—As much as submission to a petty prince, whose dominions extend not beyond a single city, is *more grievous than obedience to a great monarch; so much is domestic slavery more cruel and oppressive than any civil subjection whatsoever.*—The more the master is removed from us in place and rank, the greater liberty we enjoy; the less are our actions inspected and controlled; and the fainter that cruel comparison becomes between our own subjection, and the freedom, and even *leisure* of another.—The remains which are found of domestic slavery in the AMERICAN colonies, and among some EUROPEAN nations, would never surely create a desire of rendering it more universal.—*The little humanity, commonly observed in persons accustomed from their infancy to exercise so great authority over their fellow-creatures, and to trample upon human nature; were sufficient alone to disgust us with that unbounded dominion.*—Nor can a more probable reason be assigned for the severe, I might say, barbarous manners of ancient times, than the practice of domestic slavery; by which

every man of rank was rendered a petty tyrant, and educated amidst the submission and low debasement of his slaves.

The custom of exposing old, useless, or sick slaves, in an island of the TYBER, there to starve, seems to have been *pretty common* in ROME; and whoever recovered, after having been so exposed, had his liberty given him, by an edict of the emperor CLAUDIUS; where it was likewise forbidden to kill any slave merely for old age or sickness^a.—But supposing that this edict was strictly obeyed, would it better the domestic treatment of slaves, or render their lives much more comfortable? We may imagine what others would practise, when it was the professed maxim of the elder CATO, to sell his superannuated slaves for any price, rather than maintain what he esteemed a useless burden^b.

The ERGASTULA, or dungeons, where slaves in chains were forced to work, were very common all over *Italy*.—COLUMELLA^c advises, that they be always built under ground; and recommends^d it as the duty of a careful overseer, to call over every day the names of these slaves, like the mustering of a regiment or ship's company, in

^a SEUTONIUS in vita CLAUDII.

^b PLUT. in vita CATONIS.

^c Lib. i. c. 6.

^d Id. lib. xi. c. 1.

order

order to know presently when any of them had deserted. As a proof of the frequency of these *ergastula*, and of the great number of slaves usually confined in them, **SICILY**, says **FLORUS**^a, was full of *ergastula*, and was cultivated by labourers in chains.—**EUNUS** and **ATHENIO** excited the servile war, by breaking up these monstrous prisons, and giving liberty to 60,000 slaves.—The younger **POMPEY** augmented his army in *Spain* by the same expedient^b,

SENECA, when drawing a picture of that disorderly luxury which changes day into night, and night into day, and inverts every stated hour of every office in life, among other circumstances, such as displacing the meals and times of bathing, mentions, that, regularly about the third hour of the night, the *neighbours* of one, who indulges this false refinement, *bear the noise of whips and lashes*; and, upon enquiry, find that he is *then* taking an account of the conduct of his servants, and giving them due correction and discipline.—This is not remarked as *an instance of cruelty*, but *only of disorder*, which, even in actions the most usual and methodical, changes the fixed hours that an established custom had assigned for them.

^a Lib. iii. c. 19.

^b Id. lib. iv. c. 8.

The term for a slave, born and bred in the family, was **VERNA**^a; and these slaves seem to have been entitled by custom to privileges and indulgences beyond others; a sufficient reason why the masters would not be fond of rearing many of that kind ^b.—It is well known that

DEMOSTHÈNES,

^a As *servus* was the name of the genus, and *verna* of the species, without any correlative, this forms a strong presumption that the latter were by far the least numerous.—It is an universal observation which we may form upon language, that where two related parts of a whole bear any proportion to each other, in numbers, rank, or consideration, there are always correlative terms invented, which answer to both the parts, and express their mutual relation.—If they bear no proportion to each other, the term is only invented for the less, and marks its distinction from the whole.—Thus *man* and *woman*, *master* and *servant*, *father* and *son*, *prince* and *subject*, *stranger* and *citizen*, are correlative terms: but the words *seaman*, *carpenter*, *smith*, *taylor*, &c. have no correspondent terms, which express those who are no seaman, no carpenter, &c.—Language differ very much with regard to the particular words where this distinction obtains; and may thence afford very strong inferences concerning the manners and customs of different nations.—The military government of the **ROMAN** emperors had exalted the soldiery so high, that they balanced all the other orders of the state: hence *miles* and *paganus* became relative terms; a thing, till then, unknown to ancient, and still so to modern languages.—Modern superstition exalted the clergy so high, that they overbalanced the whole state: hence *clergy* and *laity* are terms opposed in all modern languages; and in these alone.—And from the same principles I infer, that if the number of slaves bought by the **ROMANS** from foreign countries, had not extremely exceeded those bred at home, *verna* would have had a correlative, which would have expressed the former species of slaves.—But these, it would seem, composed the main body of the ancient slaves, and the latter were but a few exceptions.

^b *Verna* is used by **ROMAN** writers as a word equivalent to *scurrus*, on account of the petulance and impudence of those slaves.—**MART.** lib. i. ep. 42.

—HORACE

DEMOSTHENES, in his nonage, had been defrauded of a large fortune by his tutors, and that afterwards he recovered, by a prosecution at law, the value of his patrimony.—His orations, on that occasion, still remain, and contain an exact detail of the whole substance left by his father^a, in money, merchandize, houses, and slaves, together with the value of each particular.—Among the rest were *fifty-two slaves*, handicraftsmen, *viz.* 32 sword-cutlers, and 20 cabinet-makers^b; all males; not a word of any wives, children, or family, which they certainly would have had, had it been a common custom at **ATHENS** to breed from the slaves: and the value of the whole must have much depended on that circumstance.—No female slaves are even so much as mentioned, except some house-maids, who belonged to his mother.—This argument has great force, if it be not altogether conclusive.

Consider this passage of **PLUTARCH**^c, speaking of the Elder **CATO**.—“ He had a great number of slaves, “ whom he took care to buy at the sales of *prisoners of*

—**HORACE** also mentions the *vernæ procæs*; and **PETRONIUS**, cap. xxiv. *vernula urbanitas*.—**SENECA**, *de provid.* c. i. *vernularum licentia*.

^a In *Amphorum orat.* i.

^b *assensores*, makers of those beds which the ancients lay upon at meals.

^c In *vita CATONIS*.

“ war; and he chose them young, that they might
 “ easily be accustomed to any diet or manner of life,
 “ and be instructed in any business or labour, as men
 “ teach any thing to *young dogs or horses*.—And esteem-
 “ ing *love* the chief source of all disorders, he allowed
 “ the male slaves to have a commerce with the female
 “ in his family, upon paying a certain sum for this
 “ privilege: but he strictly forbade all intrigues out of his
 “ family.”—Are there any symptoms in this narration
 of that care, which is supposed in the ancients, of the
 marriage and propagation of their slaves? If that was a
 common practice, founded on general interest, it would
 surely have been embraced by **CATO**, who was a *great*
œconomist, and lived in times when the ancient fru-
 gality and simplicity of manners were still in credit and
 reputation.

It is expressly remarked by the writers of the **ROMAN**
 law, that scarcely any ever purchase slaves with a view
 of breeding from them¹.

XENOPHON in his *œconomics*, where he gives direc-
 tions for the management of a farm, recommends a strict

¹ “ Non temere ancillæ ejus rei causa comparantur ut pariant.”—*Digg. lib. v. tit. 3. de hered. petit. lcx 27.*

care and attention of laying the male and the female slaves at a distance from each other.—He seems not to suppose that they are *ever married*.—The only slaves among the GREEKS that appear to have continued their own race, were the HELOTES, who had houses apart, and were more the slaves of the public than of individuals^a.

VARRO as well as COLUMELLA^b, recommends it as requisite to give a wife to the overseer, in order to attach him the more strongly to his master's service.—This was therefore a *peculiar indulgence* granted to a slave in whom so great confidence was reposed.

HISTORY MENTIONS A ROMAN NOBLEMAN WHO HAD 400 SLAVES UNDER THE SAME ROOF WITH HIM: AND HAVING BEEN ASSASSINATED AT HOME BY THE FURIOUS REVENGE OF ONE OF THEM, THE LAW WAS EXECUTED WITH RIGOUR, AND ALL WITHOUT EXCEPTION WERE PUT TO DEATH.

Nothing so common in trials, even of civil causes, as to call for the evidence of slaves; which was always extorted by the most *exquisite torments*.—DEMOSTHENES says^c, that, where it was possible to produce, for the

^a STRABO, lib. viii. ^b Lib. i. c. 18. ^c In *Oniterem orat.* 2.

same fact, either freemen or slaves as witnesses, the judges always preferred the torturing of slaves, as a more certain evidence^a.

^a The same practice was very common in ROME; but CICERO seems not to think this evidence so certain as the testimony of free citizens.—*Pro Cælio.*

The *inhuman sports* exhibited at ROME, may justly be considered as an effect of the people's contempt for their vanquished enemies, or slaves, and was also a great cause of the general inhumanity of their princes and rulers.—Who can read the accounts of the amphitheatrical entertainments without horror? Or who is surprised that the rulers should treat that people in the same way the people treated their fellow creatures? One's humanity, on that occasion, is apt to renew the barbarous will of CALIGULA, that the people had but one neck: a man could almost be pleased, by a single blow, to put an end to such a race of *monsters*.—HUME.

S E C T. XXV.

GENERAL OBSERVATIONS

ON

THE ANCIENT REPUBLICS.

We may observe, that the ancient republics were almost always in *perpetual war*, a natural effect of their martial spirit, their love of liberty, their mutual emulation, and that hatred which generally prevails among nations that live in close neighbourhood.—Now, war in a small state is much more destructive than in a great one; both because *all the inhabitants*, in the former case, must serve in the armies; and because the whole state is frontier, and is all exposed to the inroads of the enemy.

The maxims of *ancient war* were much more *destructive* than those of modern; chiefly by that distribution of plunder, in which the soldiers were indulged.—The private men in our armies are such a low set of people, that we find any abundance, beyond their simple pay, breeds confusion and disorder, and a total dissolution of

discipline.—The very wretchedness and meanness of those who fill the modern armies, render them less destructive to the countries which they invade: one instance, among many, of the deceitfulness of first appearances in all political reasonings.

Ancient battles were much more *bloody*, by the very nature of the weapons employed in them.—The ancients drew up their men 16 or 20, sometimes 50 men deep, which made a narrow front; and it was not difficult to find a field in which both armies might be marshalled, and might engage with each other.—Even where any body of the troops was kept off by hedges, hillocks, woods, or hollow ways, the battle was not so soon decided between the contending parties, but that the others had time to overcome the difficulties which opposed them, and take part in the engagement.—And as the whole army was thus engaged, and each man closely buckled to his antagonist, the battles were commonly **very** bloody, and great slaughter was made on both sides, especially on the vanquished.—The long thin lines required by fire-arms, and the quick decision of the fray, render our modern engagements but partial encounters, and enable the general, who is foiled in the beginning of the day,

to draw off the greatest part of his army sound and entire.

The battles of antiquity, both by their duration, and their resemblance of single combats, were wrought up to *a degree of fury* quite unknown to later ages.—Nothing could then engage the combatants to *give quarter*, but the hopes of profit, by making slaves of their prisoners.—In civil wars, as we learn from **TACITUS**^a, the battles were the most bloody, because the prisoners were not slaves.

What a stout resistance must be made, where the vanquished expected so hard a fate! How inveterate the rage, where the maxims of war were, in every respect, so bloody and severe!

Instances are frequent, in ancient history, of cities besieged, whose inhabitants, rather than open their gates, murdered their wives and children, and rushed themselves on a voluntary death, sweetened perhaps by a little prospect of revenge upon the enemy.—**GREEKS**^b, as well as **BARBARIANS**, have often been wrought up to this degree of fury.—And the same determined spirit and

^a Hist. lib. ii. c. 44.

^b As **AEGYPTIANS**, mentioned by **LIVY**, lib. xxxi. c. 17, 18. and **POLYB.** lib. xvi.—As also the **XANTHIANS**, **APPIAN.** *de bell. civil.* lib. iv.

crUELTY must, in other instances, less remarkable, have been destructive to human society, in those petty commonwealths, which lived in close neighbourhood, and were engaged in perpetual wars and contentions.

Sometimes the wars in GREECE, says PLUTARCH^a, were carried on entirely by *inroads*, and *robberies*, and *piracies*.—Such a method of war must be more destructive, in small states, than the bloodiest battles and sieges,

By the laws of the twelve tables, possession during two years formed a prescription for land; one year for moveables^b: an indication, that there was not in ITALY, at that time, much more order, tranquillity, and settled police, than there is at present among the TARTARS.

The only cartel I remember in ancient history, is, that between DEMETRIUS POLIORCETES and the RHODIANS; when it was agreed, that a free citizen should be restored for 1000 *drachmas*, a slave bearing arms for 500^c.

It appears also that *ancient manners* were more unfavourable than the modern, not only in times of *war*, but also in those of *peace*; and that too in every respect.—To exclude **FACTION** from a free government is very

^a *In vita Arati.*

^b *Inst.* lib. ii. c. 6.

^c *Diod. Sicul.* lib. xx.

difficult,

difficult, if not altogether *impracticable*.—In ancient history we may always observe, where one party prevailed, whether the nobles or people (for I can observe no difference in this respect¹) that they immediately *butchered* all of the opposite party who fell into their hands, and banished such as had been so fortunate as to escape their fury.—*No form of process, no law, no trial, no pardon*.—A fourth, a third, perhaps near a half of the city was slaughtered, or expelled, every revolution; and the exiles always joined foreign enemies, and did all the mischief possible to their fellow-citizens, till fortune put it in their power to take full revenge by a new revolution.—*And as these were frequent in such violent governments, the disorder, diffidence, jealousy, enmity, which must prevail, are not easy for us to imagine in this age of the world*.

There are only *two revolutions* I can recollect in ancient history, which passed without great severity, and great effusion of blood in massacres and assassinations; namely the restoration of the *Athenian democracy* by **THRASYBULUS**, and the subduing of the *Roman republic*

¹ **LYSIAS**, who was himself of the popular faction, and very narrowly escaped from the thirty tyrants, says, that the *Democracy* was as violent a government as the *Oligarchy*.—*Orat. 24. de statu popul.*

by CÆSAR.—We learn from ancient history, that THRASYBULUS passed a general amnesty for all past offences; and first introduced that word, as well as practice, into GREECE^c.—It appears, however, from many orations of LYSIAS^b, that the chief, and even some of the subaltern offenders, in the preceding tyranny, were tried, and capitally punished.—This is a difficulty not cleared up, and even not observed by antiquarians and some historians.—And as to CÆSAR's clemency, though much celebrated, it would not gain great applause in the present age.—He butchered, for instance, all CATO's senate, when he became master of Utica^c; and these, we may readily believe, were not the most worthless of the party.—All those who had borne arms against that usurper, were attainted; and, by *Hirtius*'s law, declared incapable of all public offices.

The utmost energy of the nervous style of THUCYDIDES, and the copiousness and expression of the GREEK language, seem to sink under that historian, when he attempts to describe the disorders, which arose from FAC-

^a CICERO, PHILIP, I.

^b As orat. 11. contra ERATOS I. orat. 12. contra AGORAT. orat. 15. pro MANTITH.

^c APPIAN. *de bell. civ.* lib. ii.

tion throughout all the *Grecian commonwealths*.—You would imagine, that he still labours with a thought greater than he can find words to communicate.—And he concludes his pathetic description with an observation, which is at once refined and solid.—“*In these contrasts*,” says he, “*those who were the dullest and most stupid, and bad the least foresight, commonly prevailed: for being conscious of this weakness, and dreading to be over-reached by those of greater penetration, they went to work HASTILY, WITHOUT PREMEDITATION, BY THE SWORD AND PONIARD, AND THEREBY GOT THE START OF THEIR ANTAGONISTS, WHO WERE FORMING FINE SCHEMES AND PROJECTS FOR THEIR DESTRUCTION*.”

Not to mention *Dionysius*^b the Elder, who is computed to have butchered in cold blood above 10,000 of his fellow-citizens; or *Agathocles*^c, *Nabis*^d, and others, still more bloody than he; the transactions, even in free governments, were extremely violent and destructive.—**At ATHENS**, the thirty tyrants and the nobles, in a twelvemonth, murdered, *without trial*, about 1200 of

^a Lib. iii. ^b PLUT. *de virt. & fort. ALEX.*

^c Diod. Sic. lib. xviii, xix. ^d TIT. LIV. lib. xxxi, xxxiii, xxxiv.

the people, and banished above the half of the citizens that remained^a.—In ARGOS, near the same time, the people killed 1200 of the nobles; and afterwards their own *demagogues*, because they had refused to carry their prosecutions farther^b.—The people also in CORCYRA killed 1,500 of the nobles, and banished a thousand^c.—These numbers will appear the more surprising, if we consider the extreme smallness of these states.—But all ancient history is full of such instances^d.

When

^a DION. SIC. lib. xiv. ISOCRATES says there were only 5000 banished.—He makes the number of those killed amount to 1500.—AREOP. ἈΣΧΙΝΕΣ *contra CΤΕΣΙΦ.* affirms precisely the same number.—SENECA (*de transq. anim.* c. 5.) says 1300.

^b DION. SIC. lib. xv.

^c DION. SIC. lib. xiii.

^d We shall mention from DIODORUS SICULUS alone a few massacres, which passed in the course of sixty years, during the most shining age of GREECE.—There were banished from SYBARIS 500 of the nobles and their partizans; lib. xii. p. 77. *ex edit. RHODOMANNI*.—Of CHIANS, 600 citizens banished; lib. xiii. p. 189.—At EPHESUS, 340 killed, 1000 banished; lib. xiii. p. 223.—Of CYRENIANS, 500 nobles killed, all the rest banished; lib. xiv. p. 263.—The CORINTHIANS killed 120, banished 500; lib. xiv. p. 304.—PHÆBIDAS the SPARTAN banished 300 BÆOTIANS; lib. xv. p. 342.—Upon the fall of the LACEDEMONIANS, democracies were restored in many cities, and severe vengeance taken of the nobles, after the GREEK manner.—But matters did not end there.—For the banished nobles, returning in many places, butchered their adversaries at PHIALÆ, in CORINTH, in MEGARA, in PHLIASIA.—In this last place they killed 300 of the people; but these again revolting, killed above 600 of the nobles, and banished

the

When *Alexander* ordered all the exiles to be restored throughout all the cities, it was found, that the whole amounted to 20,000 men¹; the remains, probably, of still greater slaughters and massacres.—WHAT AN ASTONISHING MULTITUDE IN SO NARROW A COUNTRY AS ANCIENT GREECE! AND WHAT DOMESTIC CONFUSION, JEALOUSY, PARTIALITY, REVENGE, HEARTURNINGS, MUST TEAR THOSE CITIES, WHERE Factions were wrought up to such a degree of URY AND DESPAIR!

the rest; lib. xv. p. 357.—In **ARCADIA** 1400 banished, besides many killed.—The banished retired to **SPARTA** and to **PALLANTIUM**: the latter were delivered up to their countrymen, and all killed; lib. xv. p. 373.—Of the banished from **ARGOS** and **THEBES**, there were 509 in the **SPARTAN** army; *id.* p. 374.—Here is a detail of the most remarkable of **AGATHOCLES**'s cruelties, from the same author.—The people, before his usurpation, had banished 600 nobles; lib. xix. p. 655.—Afterwards that tyrant, in concurrence with the people, killed 4000 nobles, and banished 6000; *id.* p. 647. He killed 4000 people at **GELA**; *id.* p. 741.—By **AGATHOCLES**'s brother 8000 banished from **SYRACUSE**; lib. xx. p. 757.—The inhabitants of **EGESTA**, to the number of 40,000, were killed, man, woman, and child; and with tortures, for the sake of their money; *id.* p. 802.—All the relations, a father, brother, children, grandfather, of his **LIBYAN** army, killed; *id.* 803.—He killed 7000 exiles after capitulation; *id.* p. 816.—It is to be marked, that **AGATHOCLES** is called a man of great sense and courage, and is not to be suspected of wanton cruelty, contrary to the maxims of his age.

¹ **DIOD. SIC.** lib. xviii.

It would be easier, says *Iscrates* to *Philip*, to raise an army in GREECE at present from the *vagabonds* than from the cities.

Even when affairs came not to such **extremities** (which they failed not to do almost in every city *twice* or *thrice every century*) property was rendered **very precarious** by the maxims of ancient government.—**XENOPHON**, in the banquet of **SOCRATES**, gives us a natural **unaffected** description of the **tyranny** of the **ATHENIAN** people.—“ In my poverty,” says **CHARMIDES**, “ I am “ much more happy than I ever was while possessed of “ riches; as much as it is happier to be in security than “ in terrors, free than a slave, to receive than to pay “ court, to be trusted than suspected.—Formerly I was “ obliged to caress every informer; some imposition “ was continually laid upon me; and it was never al- “ lowed me to travel, or be absent from the city—At “ present, when I am poor I look big, and threaten “ others.—The rich are afraid of me, and show me “ every kind of civility and respect; and I am become a “ kind of tyrant in the city ^a.”

In one of the pleadings of **LYSIAS**^b, the orator very

^a Page 885. *ex edit. LEUNCLAV.*

^b *Orat. 29. in NICOM.*

cooly

cooly speaks of it, by the by, as a maxim of the ATHENIAN people, that whenever they wanted money, *they put to death some of the rich citizens, as well as strangers, for the sake of the forfeiture.*—In mentioning this, he seems not to have any intention of blaming them; still less of provoking them, who were his audience and judges.

Whether a man was a citizen or a stranger among that people, it seems indeed requisite, either that he should impoverish himself, or the people would impoverish him, and perhaps kill him into the bargain.—The orator last mentioned gives a pleasant account of an estate laid out in the public service; that is, above the third of it in raree-shows and figured dances.

Besides many other obvious reasons for the instability of ancient monarchies, the equal division of property among the brothers in private families must, by a necessary consequence, contribute to unsettle and disturb the state.—The universal preference given to the elder by modern laws, though it increases the inequality of fortunes, has, however, this good effect, that it accustoms men to the same idea in public succession, and cuts off all claim and pretension of the younger.

The new settled colony of Heraclea, falling immediately into faction, applied to Sparta, who sent HERIDAS with full authority to quiet their dissensions—

This man, not provoked by *any opposition*, not inflamed by *party rage*, knew no better expedient than immediately *putting to death about 500 of the citizens*^a.—A strong proof how deeply rooted these *violent maxims of government* were throughout all GREECE.

If such was the disposition of men's minds among *that refined people*, what may be expected in the commonwealths of ITALY, AFRIC, SPAIN, and GAUL, which were denominated *barbarous*? Why otherwise did the GREEKS so much value themselves on *their humanity, gentleness, and moderation, above all other nations*? This reasoning seems very natural.—But unluckily the history of the ROMAN commonwealth, in its earlier times, if we give credit to the received accounts, presents an opposite conclusion.—No blood was ever shed in any sedition at ROME till the murder of the GARCCHI.—DIONYSIUS HALICARNASSÆUS^b, observing the singular humanity of the ROMAN people in this particular, makes use of it as an argument, that they were originally of GRECIAN extraction: whence we may conclude, that the factions and revolutions in the *barbarous republics* were *usually more violent* than even those of GREECE above mentioned.

^a Diod. Sic. lib. xiv.

^b Lib. i.

IF THE ROMANS WERE SO LATE IN COMING SO BLOWS, THEY MADE AMPLE COMPENSATION AFTER THEY HAD ONCE ENTERED UPON THE BLOODY SCENE; AND APPIAN'S HISTORY OF THEIR CIVIL WARS CONTAINS THE MOST FRIGHTFUL PICTURE OF MASSACRES, PROSCRIPTIONS, AND FORFEITURES, THAT EVER WAS PRESENTED TO THE WORLD.—WHAT PLEASES MOST, IN THAT HISTORIAN, IS, THAT HE SEEMS TO FEEL A PROPER RESENTMENT OF THESE BARBAROUS PROCEEDINGS; AND TALKS NOT WITH THAT PROVOKING COOLNESS AND INDIFFERENCE, WHICH CUSTOM HAD PRODUCED IN MANY OF THE GREEK HISTORIANS².

One

² The authorities cited above, are all historians, orators, and philosophers, whose testimony is unquestioned.—It is dangerous to rely upon writers who deal in ridicule and satire.—What will posterity, for instance, infer from this passage of Dr. SWIFT: “I told him, that in the kingdom of TRIBUNIA “(BRITAIN) by the natives called LANGDON (LONDON) where I had so-“ journed some time in my travels, the bulk of the people consist, in a man-“ ner, wholly of discoverers, witnesses, informers, accusers, prosecutors, eva-“ deces, swearers, together with their several subservient and subaltern in-“ struments, all under the colours, the conduct, and pay of ministers of state “and their deputies.—The plots in that kingdom are usually the workman-“ ship of those persons,” &c.—GULLIVER’s *Travels*.—Such a representa-“tion might suit the government of ATHENS, but not that of ENGLAND, which is remarkable, even in modern times, for *humanity, justice, and liberty*.—Yet the doctor’s satire, though carried to extremes, as is usual with him, even

One general cause of the disorders, so frequent in all ancient governments, seems to have consisted in the great difficulty of establishing any **ARISTOCRACY** in those ages, and the perpetual discontents and seditions of the people, whenever even the meanest and most beggarly were excluded from the legislature and from public offices.—The very quality of a *freeman* gave such a rank, being opposed to that of *slave*, that it seemed to entitle the possessor to every power and privilege of the commonwealth.—**SOLON**'s^a laws excluded no freeman from votes or elections, but confined some magistracies to a particular *census*; yet were the people never satisfied till those laws were repealed.—By the treaty with **ANTIPATER**^b, no **ATHENIAN** was allowed a vote whose *census* was less than 2000 *drachmas* (about 60*l. sterling*).—And though such a government would to us appear sufficiently democratical, it was so *disagreeable to that people*, that above two-thirds of them immediately left their country^c.—**CASSANDER** reduced that *census* to the half^d; even beyond other satirical writers, did not altogether want an object.—The Bishop of **ROCHESTER**, who was his friend, and of the same party, had been banished a little before by a bill of attainder, with *great justice*, but without such a proof as was legal, or according to the strict forms of common law.

^a **PLUTARCHUS** in *vita SOLONI*.

^b **DION. SIC.** lib. xviii.

^c **Id. ibid.**

^d **Id. ibid.**

yet still the government was considered as an oligarchical tyranny, and the effect of foreign violence.

SERVIUS TULLIUS's^a laws seem equal and reasonable, by fixing the power in proportion to the property: yet the ROMAN people could never be brought quietly to submit to them.

In those days there was NO MEDIUM between a severe, jealous aristocracy, ruling over discontented subjects; and a TURBULENT, FACTIOUS, TYRANNICAL DEMOCRACY.

There are many other circumstances, in which ancient nations seem inferior to the modern, both for the happiness and increase of mankind.—Trade, manufactures, industry, were nowhere, in former ages, so flourishing as they are at present in EUROPE.—The only garb of the ancients, both for males and females, seems to have been a kind of flannel, which they wore commonly white or grey, and which *they scoured as often as it grew dirty*.—I do not remember a passage in any ancient author, where the growth of the city is ascribed to the establishment of a manufacture.—The commerce, which is said to flourish, is chiefly the exchange of those com-

^a TIT. LIV. lib. i. c. 43.

modities, for which different soils and climates were suited.—The sale of wine and oil into AFRICA, according to DIODORUS SICULUS^a, was the foundation of the riches of AGRIGENTUM.—The situation of the city of SYBARIS, according to the same author^b, was the cause of its immense populousness; being built near the two rivers CRATHYS and SYBARIS.—But these two rivers, we may observe, are not navigable; and could only produce some fertile vallies, for agriculture and husbandry; an advantage so inconsiderable, that a modern writer would scarcely have taken notice of it.

The barbarity of the ancient tyrants, together with the extreme love of liberty, which animated those ages, must have banished every merchant and manufacturer, and have quite depopulated the state, had it subsisted upon industry and commerce.—While the cruel and suspicious *Dionysius* was carrying on his butcheries, who, that was not detained by his landed property, and could have carried with him any art or skill to procure a subsistence in other countries, would have remained exposed to such implacable barbarity? The persecutions of

^a Lib. xiii.

^b Lib. xii.

Philip II. and *Lewis XIV.* filled all *EUROPE* with the manufacturers of *FLANDERS* and of *FRANCE*.

I grant, that *agriculture* is the species of industry chiefly requisite to the subsistence of multitudes; and it is possible, that this industry may flourish, even were manufactures and other arts unknown and neglected.—*Switzerland* is at present a remarkable instance; where we find, at once, the most skilful husbandmen, and the most bungling tradesmen, that are to be met with in *EUROPE*.—That agriculture flourished in *Greece* and *Italy*, at least in some parts of them, and at some periods, we have reason to presume; and whether the mechanical arts had reached the same degree of perfection, may not be esteemed so material; especially, if we consider the great equality of riches in the ancient republics, where each family was obliged to cultivate, with the greatest care and industry, its own little field, in order to its subsistence.

But is it just reasoning, because agriculture may, in some instances, flourish without trade or manufactures, to conclude, that, in any great extent of country, and for any great tract of time, it would subsist alone? *The most natural way, surely, of encouraging husbandry, is, first,*

to excite other kinds of industry, and thereby afford the labourer a ready market for his commodities, and a return of such goods as may contribute to his pleasure and enjoyment. —This method is infallible and universal; and, as it prevails more in modern government than in the ancient, it affords a presumption of the superior populousness of the former.

Every man, says *Xenophon*^a, may be a farmer: no art or skill is requisite: all consists in industry, and in attention to the execution.—A *strong proof*, as *COLUMELLA* hints, that agriculture was but little known in the age of *XENOPHON*.

All our later improvements and refinements, have they done nothing towards the easy subsistence of men, and consequently towards their propagation and increase? *Our superior skill in the mechanics; the discovery of new worlds, by which commerce has been so much enlarged; the establishment of posts; and the use of bills of exchange: these seem all extremely useful to the encouragement of art, industry, and populousness.* —Were we to strike off these, what a check should we give to every

^a *Oecon.* —

kind

kind of business and labour, and what multitudes of families would immediately perish from want and hunger? And it seems not probable, that we could supply the place of these new inventions by any other regulation or institution.

Have we reason to think, that the police of ancient states was anywise comparable to that of modern, or that men had then equal security, either at home, or in their journeys by land or water? I question not but every impartial examiner would give us the preference in this particular.

Thus, upon comparing the whole, it seems impossible to assign any just reason, why the world should have been *more prosperous* and *populous* in ancient than in modern times.—The equality of property among the ancients, liberty, and the small divisions of their states, were indeed circumstances favourable to the propagation of mankind; BUT THEIR WARS WERE MORE BLOODY AND DESTRUCTIVE, THEIR GOVERNMENTS MORE FACTIOUS AND UNSETTLED, COMMERCE AND MANUFACTURES MORE FEEBLE AND LANGUISHING, AND THE GENERAL POLICE MORE LOOSE AND IRREGULAR.—THESE LATTER DISADVANTAGES SEEM

TO FORM A SUFFICIENT COUNTERBALANCE TO THE FORMER ADVANTAGES; AND RATHER FAVOUR THE OPPOSITE OPINION TO THAT WHICH COMMONLY PREVAILS WITH REGARD TO THIS SUBJECT^a.

^a Hume.

END OF THE FIRST VOLUME.



THE
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OR,
POLITICAL EXTRACTS:
BEING
AN ANSWER TO THESE QUESTIONS,

What is the best Form of Government?

AND

*What is the best Administration of a
Government?*

BY A LOVER OF SOCIAL ORDER.

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In airy schemes, or idle speculations :
The rule and conduct of all social life
Is her great province. Not in lonely cells
Obcure she lurks, but holds her *heav'nly light*
To senates and to kings, to guide her councils,
And teach them to reform and blesb mankind.

THOMSON.

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ent to you. I am sorry to
say to you that I am
not able to accept your
kind invitation.

and the *Journal of the Royal Statistical Society* (Series B) in 1958. The *Journal of the Royal Statistical Society* (Series B) is the journal of record for the Royal Statistical Society, and the *Journal of the Royal Statistical Society* (Series B) is the journal of record for the Royal Statistical Society.

P R E F A C E.

IN the preceding Volume the Editor of THE POLITICIAN'S CREED has attempted to give *the essence or forms* of different Governments, and, as far as could be done, consistent with the general design of this work, to ascertain *our MIXED FORM of Government.*

In these we are not to consider, whence *power* is derived ; but the *acts* of *Legislation* : not what *constitutes a Government* ; but what are the *emanations of established Forms.*

The writer of THE POLITICIAN'S CREED wishes the reader carefully to discriminate between *Acts*

of Legislation and Forms of Government.—Thus a *chancellor* may be corrupt, a *particular jury* may be prejudiced, a *minister* improvident, a *commander* indiscreet; nevertheless these *offices* or *forms* are as much a subject of *admiration* as before.

As, on the one hand, *all parties* have approved our *MIXED FORM of Government*, and here our *political knowledge* was reduced to a *science*; so on the other hand, as the *practical part* must depend much upon *circumstances*, we see opened a wide and endless field for disputation.

Some general maxims, however, concerning **COMMERCE, TREATIES, TAXES, WAR, &c.** are attempted, and *hereafter* these several sections may be better filled up by some enlightened politician, whom the Editor wishes the *same motive*, that has guided him in this work—a bias to **TRUTH**,

V

rather than to any prevailing party, and the heartfelt pleasure of bestowing the PROFITS on persons deserving of the first consideration ; it being intended that the profits of this work should go to the fund for the relief of the widows and orphan children of those brave men, who may die fighting for their king and country, during this war, against an ambitious power, that wishes to overstride all Europe.

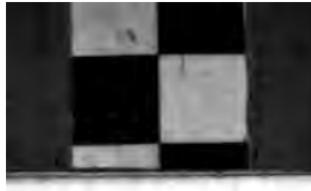


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PART II.

POLITICAL DISQUISITION

ON

THE ADMINISTRATION

OF

G O V E R N M E N T S.

OUTLINE OF POLY

OUTLINE OF POLY

OUTLINE OF POLY

OUTLINE OF POLY

S E C T. I.

OF THE BALANCE OF POWER.

IT is a question, whether the *idea of THE BALANCE OF POWER* be owing entirely to *modern policy*, or whether the *phrase only* has been *invented in these latter ages*? It is certain, that XENOPHON*, in his Institution of CYRUS, represents the combination of the ASIATIC powers to have arisen from a jealousy of the increasing force of the MEDES and PERSIANS; and though that elegant composition should be supposed altogether a romance, this sentiment, ascribed by the author to the *eastern princes*, is at least a proof of the prevailing notion of ancient times.

In all the politics of GREECE, the anxiety, with regard to the *balance of power*, is apparent, and is expressly pointed out to us, even by the ancient historians. THUCYDIDES† represents the league, which was form-

* Lib. i.

† Lib. i.

ed against *Athens*, and which produced the *Peloponnesian war*, as entirely owing to this principle.—And after the decline of *Athens*, when the *Thebans* and *Lacedemonians* disputed for sovereignty, we find, that the *Athenians* (as well as many other republics) always threw themselves into the *lighter scale*, and *endeavoured to preserve the balance*.—They supported *Thebes* against *Sparta*, till the great victory gained by *EPAMINONDAS* at *Leuctra*; after which they immediately went over to the conquered from generosity, as they *pretended*, but, *in reality*, from their *jealousy of the conquerors**.

Whoever will read *DEMOSTHENES*'s oration for the *Megalopolitans*, may see the utmost refinements on this principle, that ever entered into the head of a *VENETIAN* or *ENGLISH* speculist, and upon the first rise of the *Macedonian power*, this orator immediately discovered the danger, *sounded the alarm through all Greece*, and at last assembled that *confederacy* under the banners of *Athens*, which fought the great and decisive battle of *Chaeronia*.

It is true, the *GRECIAN* wars are regarded by historians as wars of *emulation* rather than of *politics*; and each

* *XENOPH.* *Hist. GRAEC.* lib. vi. & vii.

ate seems to have had more in view the honour of leading the rest, than any well-grounded hopes of authority and dominion.—If we consider, indeed, the small number of inhabitants in any one republic, compared to the whole, the great difficulty of forming sieges in those times, and the extraordinary bravery and discipline of every freeman among that people; we shall conclude, that the balance of power was, of itself, sufficiently secured in GREECE, and needed not to have been guarded with that caution which may be requisite in other ages.—But whether to ascribe the *shifting of sides* in all the GRECIAN republics to *jealous emulation* or *cautious politics*, the effects were alike, and every *prevailing power* was sure to meet with a *confederacy* against it, and that often composed of its *former friends* and *allies*.

The same principle, call it envy or prudence, which produced the OSTRACISM of *Athens*, and PETALISM of *Syracuse*, and expelled every citizen whose fame or power overtopped the rest; the same principle, I say, naturally discovered itself in foreign politics, and soon raised enemies to the *leading state*, however moderate in the exercise of its authority.

The *Perian monarch* was really, in his force, a petty prince, compared to the GRECIAN republics; and there-

fore it behoved him, from views of safety more than from emulation, to interest himself in their quarrels, and to support the weaker side in every contest.—This was the advice given by **ALCIBIADES** to **TISSAPHERNES***, and it prolonged near a century the date of the **PERSIAN** empire; till the neglect of it for a moment, after the first appearance of the aspiring genius of **PHILIP**, brought that lofty and frail edifice to the ground, with a rapidity of which there are few instances in the history of mankind.

The successors of **ALEXANDER** showed great jealousy of the balance of power; a jealousy founded on true politics and prudence, and which preserved distinct for several ages the partitions made after the death of that famous conqueror.—The fortune and ambition of **ANTIGONUS†** threatened them anew with a universal monarchy; but their combination, and their victory at *Ipsus* saved them.—And in after times, we find, that, as the Eastern princes considered the *Greeks* and *Macedonians* as the only real military force, with whom they had any intercourse, they kept always a *watchful eye* over that part of the world.—The **PAOLEMIES**, in par-

* **TUVCYD.** lib. viii.

† **DIOD. Sic.** lib. xx.

ticular,



II

cular, supported first **ARATUS** and the *Achaeans*, and then **CLEOMENES** king of *Sparta*, from no other view than as a *counterbalance* to the *Macedonian monarchs*.—or this is the account which **POLYBIUS** gives of the *Egyptian politics**.

The reason, why it is supposed, that the ancients were entirely ignorant of the *balance of power*, seems to be drawn from the **ROMAN** history more than the **GRECIAN**; and as the transactions of the former are generally the most familiar to us, we have thence formed all our conclusions.—It must be owned, that the **ROMANS** never met with any such general combination or confederacy against them, as might naturally have been expected from their rapid conquests and declared ambition; *ut were allowed peaceably to subdue their neighbours, one after another, till they extended their dominion over the whole known world*.—Not to mention the fabulous history of their **ITALIC** wars; there was, upon **HANNIBAL**'s invasion of the **ROMAN** state, a remarkable crisis, which ought to have called up the attention of all civilized nations.—It appeared afterwards (nor was it diffi-

* Lib. ii. cap. 51.

cult to be observed at the time) * that this was a contest for *universal empire*; and yet no prince or state seems to have been in the least alarmed about the event or issue of the quarrel.—PHILIP of *Macedon* remained neuter, till he saw the victories of HANNIBAL; and then most imprudently formed an alliance with the conqueror, upon terms still more imprudent.—He stipulated, that he was to assist the *Carthaginian* state in their conquest of *Italy*; after which they engaged to send over forces into *Greece*, to assist him in subduing the *Grecian commonwealths* †.

The *Rhodian* and *Achaean* republics are much celebrated by ancient historians for their wisdom and sound policy; yet both of them assisted the *Romans* in their wars against PHILIP and ANTIOCHUS.—And what may be esteemed still a stronger proof, that this maxim was not generally known in those ages; no ancient author has remarked the *imprudence of these measures*, nor has even blamed that *absurd treaty* above mentioned, made by PHILIP with the *Carthaginians*.—Princes and statesmen,

* It was observed by some, as appears by the speech of *AEGEAUS* of *NAUPACTUM*, in the general congress of *GREECE*. See *POLYB.* lib. v. cap. 104.

† *TITI LIVII*, lib. iii. cap. 33.

in all ages, may, *before-hand*, be blinded in their reasonings with regard to events: but it is somewhat extraordinary, that historians, *afterwards*, should not form a sounder judgment of them.

MASSINISSA, ATTALUS, PRUSIAS, in gratifying their *private passions*, were, all of them, the instrument of the *Roman greatness*; and never seem to have suspected, that they were forging their own chains, while they advanced the conquests of their ally.—A simple treaty and agreement between MASSINISSA and the *Carthaginians*, so much required by mutual interest, would have barred the *Romans* from all entrance into *Africa*, and preserved liberty to mankind.

The only prince we met with in the *ROMAN* history, who seems to have understood the *balance of power*, is **HIERO** king of *Syracuse*.—Though the ally of *ROME*, he sent assistance to the *CARTHAGINIANS*, during the war of the auxiliaries; “ *Esteeing it requisite*,” says **POLYBIUS***, “ *both in order to retain his dominions in Sicily, and to preserve the Roman friendship, that CARTHAGE should be safe; lest by its fall the remaining power should be able, without contrast or opposition, to execute every purpose and undertaking*.—And here he

"acted with great wisdom and prudence.—For that is never, on any account, to be overlooked; nor ought such a force ever to be thrown into one hand, as to incapacitate the neighbouring states from defending their rights against it."—Here is the aim of MODERN POLITICS pointed out in express terms.

In short, the maxim of preserving the *balance of power* is founded so much on *common sense* and *obvious reasoning*, that it is impossible it could *altogether* have escaped antiquity, where we find in other particulars so many marks of deep penetration and discernment.—If it was not so *generally* known and acknowledged as *at present*, it had, at least, an influence on all the wiser and more experienced princes and politicians.—And indeed, even *at present*, however generally known and acknowledged among *speculative reasoners*, it has not, *in practice*, an authority much more extensive among those who govern the world.

After the fall of the ROMAN empire, the form of government, established by the northern conquerors, incapacitated them, in a great measure, for farther conquests, and long maintained each state in its proper boundaries.—But when vassalage and the feudal militia were abolished, mankind were anew alarmed by the danger of *universal*

monarchy, from the union of so many kingdoms and principalities in the person of the emperor CHARLES.—But the power of the house of Austria, founded on extensive but divided dominions, and their riches, derived chiefly from mines of gold and silver, were more likely to decay, of themselves, from internal defects, than to overthrow all the bulwarks raised against them.—In less than a century, the force of that violent and haughty race was shattered, their opulence dissipated, their splendor eclipsed.—A new power succeeded, more formidable to the liberties of EUROPE, possessing all the advantages of the former, and labouring under none of its defects; except a share of that spirit of bigotry and persecution, with which the house of AUSTRIA was so long infatuated.

In the general wars, maintained against this ambitious power, BRITAIN has stood foremost; and she still maintains her station.—Beside advantages of riches and situation, her people are animated with such a national spirit, and are so fully sensible of the blessings of their government, that we may hope their vigour never will languish in so necessary and so just a cause.—On the contrary, if we may judge by the past, their passionate ardour seems rather to require some moderation; and they have oftener erred from a laudable excess than from a blamable deficiency.

These

These excesses, to which we have been carried, are prejudicial; and may, perhaps, in time, become *still more prejudicial* another way, by begetting, as is usual, the *opposite extreme*, and rendering us totally *careless* and *supine* with regard to the *fate of our Neighbours*.—The *Abenians*, from the most bustling, intriguing, warlike people of *GREECE*, finding their *error* in thrusting themselves into every quarrel, *abandoned all attention to foreign affairs*; and in no contest, ever took part on either side, except by their flatteries and complaisance to the *victor**.—They repented of this folly when it was too late.

UPON THE WHOLE IT APPEARS THEN, THAT ALIANCES ARE PROPER, AND AS THE AMBITION OF EXTENSIVE DOMINION IS MORE PREDOMINANT IN THE BREASTS OF RULERS, THAN GENERAL PHILANTHROPY, WHICH WILL EVER BE THE CASE, AS LONG AS MANKIND PERSIST IN APPLAUDING THEIR DESTROYERS, RATHER THAN THEIR BENEFACTORS, NATIONS OUGHT TO HAVE A JEALOUS EYE ON EACH OTHER, AND TO CONFEDERATE TOGETHER TO SUPPRESS THE RISING FLAME OF INORDINATE AMBITION, WHICH OTHERWISE, LIKE THE CHARIOT OF PHAETON, MIGHT CONFLAGRATE THE WHOLE WORLD.

* Hume.

S E C T. II.

OF THE BALANCE OF TRADE.

IT is very usual, in nations *ignorant of the nature of commerce*, to prohibit the *exportation* of commodities, and to preserve among themselves whatever they think valuable and useful.—They do not consider that, in this prohibition, they act directly *contrary to their intention*; and that the more is *exported* of any commodity, the more will be *raised at home*, of which they themselves will always have the first offer.

It is well known to the learned, that the ancient laws of ATHENS rendered the *exportation* of figs criminal; that being supposed a species of fruit so excellent in ATTICA, that the ATHENIANS deemed it too delicious for the palate of any foreigner.—There are proofs in many old acts of parliament of the *same ignorance* in the nature of commerce, particularly in the reign of EDWARD III.—And to this day, in FRANCE, the *exportation* of *corn* is almost always prohibited; in order, as

wines, for which they paid ready money. The consequence of this situation, which must be owned to be disadvantageous, was, that, in a course of three years, the current money of IRELAND, from 500,000*l.* was reduced to less than two.—And at present, I suppose, in a course of 30 years, it is absolutely nothing.—Yet I know not how that opinion of the *advance of riches in IRELAND*, which gave the Doctor so much indignation, seems still to continue, and gain ground with every body.

In short, this apprehension of the wrong balance of trade, appears of such a nature, that it discovers itself, wherever one is *out of humour with the ministry, or is in low spirits*; and as it can never be refuted by a particular detail of all the exports, which counterbalance the imports, it may here be proper to form a general argument, that may prove the impossibility of this even, as long as we preserve our people and our industry.

Suppose four-fifths of all the money in BRITAIN to be annihilated in one night, and the nation reduced to the same condition, with regard to specie, as in the reigns of the HARRYS and EDWARDS, what would be the consequence? Must not the price of all labour and commodities sink in proportion,

proportion, and every thing be sold as cheap as they were in those ages?—What nation could then dispute with us in any foreign market, or pretend to navigate or to sell manufactures at the same price, which to us would afford sufficient profit?—In how little time, therefore, must this bring back the money which we had lost, and raise us to the level of all the neighbouring nations?—Where, after we have arrived, we immediately lose the advantage of the cheapness of labour and commodities; and the farther flowing in of money is stopped by our fulness and repletion.*

Again, suppose that all the money of BRITAIN were multiplied fivefold in a night, must not the contrary effect follow?—Must not all labour and commodities rise to such an exorbitant height, that no neighbouring nations could afford to buy from us; while their commodities, on the other hand, became comparatively so cheap, that, in spite of all the laws which could be formed, they would be run in upon us, and our money flow out; till we fall to a level with foreigners, and lose that great superiority of riches, which had laid us under such disadvantages.

Now, it is evident, that the same causes, which would correct these exorbitant inequalities, were they to

* Like a poor man, we should be able to *sell* every thing, but *buy* nothing.

happen

our species, and draw to themselves a larger share of the West Indian treasures.—We need not have recourse to a physical attraction, in order to explain the necessity of this operation.—*There is a moral attraction, arising from the interests and passions of men, which is full as potent and infallible.*

How is the balance kept in the provinces of every kingdom among themselves, but by the force of this principle, which makes it impossible *for money to lose its level*, and either to rise or sink beyond the proportion of the labour and commodities which are in each province? Did not long experience make people easy on this head, what a fund of gloomy reflections might calculations afford to a melancholy *Yorkshireman*, while he computed and magnified the sums drawn to London by taxes, absentees, commodities, and found on comparison the opposite articles so much inferior?—And no doubt, had the *Heptarchy* subsisted in *England*, the legislature of each state had been continually alarmed by the fear of a *wrong balance*; and as it is probable that the mutual hatred of these states would have been extremely violent on account of their close neighbourhood, they would have *hated and oppressed all commerce, by a jealous and superfluous caution*.—Since the union has removed the barriers

barriers between *Scotland* and *England*, which of these nations gains from the other by this free commerce?—Or if the former kingdom has received any increase of riches, can it reasonably be accounted for by any thing but the *increase* of its *art* and *industry*?—It was a common apprehension in *England*, before the union, as we learn from L'ABBE DU BOS*, that *Scotland* would soon drain them of their treasure, were an open trade allowed; and on the other side the *Tweed* a contrary apprehension prevailed: with what justice in both, *time has shewn*.

What happens in small portions of mankind, must take place in greater.—The provinces of the Roman empire, no doubt, kept their balance with each other, and with Italy, independent of the legislature: as much as the several counties of Britain, or the several parishes of each county.—And any man who travels over Europe at this day, may see, by the prices of commodities, that money, in spite of the absurd jealousy of princes and states, has brought itself nearly to a level; and that the difference between one kingdom and another is not greater in this respect, than it is often between different

* *Les intérêts d'ANGLETERRE mal-entendus.*

provinces of the same kingdom.—*Men naturally flock to capital cities, sea-ports, and navigable rivers.—There we find more men, more industry, more commodities, and consequently more money; but still the latter difference holds proportion with the former, and the level is preserved**.

Our jealousy and our hatred of *France* are without bounds; and the former sentiment, at least, must be acknowledged reasonable and well-grounded.—These passions have occasioned innumerable barriers and obstructions upon commerce, where we are accused of being commonly the aggressors.—But what have we gained by the bargain?—We lost the *French* market for our woollen manufactures, and transferred the commerce of wine to *Spain* and *Portugal*, where we buy

• It must carefully be remarked, that throughout this discourse, wherever *HUME* speaks of the level of money, he means always its proportional level to the commodities, labour, industry, and skill, which is in the several states.—And he asserts, that where these advantages are double, triple, quadruple, to what they are in the neighbouring states, the money infallibly will also be double, triple, quadruple. The only circumstance that can obstruct the exactness of these proportions, is the expence of transporting the commodities from one place to another; and this expence is sometimes unequal.—Thus the corn, cattle, cheese, butter, of *Derbyshire*, cannot draw the money of *London*, so much as the manufacture of *London* draw the money of *Derbyshire*.—But this objection is only a seeming one: for so far as the transport of commodities is expensive, so far is the communication between the place obstructed as imperfect.

worse liquor at a higher price.—*There are few Englishmen who would not think their country absolutely ruined, were French wines sold in England so cheap and in such abundance as to supplant, in some measure, all ale, and home-brewed liquors: but could we lay aside prejudice, it would not be difficult to prove, that nothing could be more innocent, perhaps advantageous.—Each new acre of vineyard planted in France, in order to supply England with wine, would make it requisite for the French to take the produce of an English acre, sown in wheat or barley, in order to subsist themselves; and it is evident, that we should thereby get command of the better commodity.*

There are many edicts of the French king, prohibiting the planting of *new vineyards*, and ordering all those which are lately planted to be grubbed up: so sensible are they, in that country, of the superior value of *corn*, above every other product.

Mareschal Vauban complains often, and with reason, of the absurd duties which load the entry of those wines of *Languedoc*, *Guienne*, and other southern provinces, that are imported into *Britanny* and *Normandy*.—He entertained no doubt but these latter provinces could preserve their balance, notwithstanding the open commerce which he recommends.—And it is evident, that a few

It is not to be doubted, but the great plenty of *bullion* in France is, in a great measure, owing to the want of *paper-credit*.—The French have no banks: merchants' bills do not there circulate as with us: usury, or lending on interest, is not directly permitted; so that many have large sums in their coffers: *great quantities of plate are used in private houses; and all the churches are full of it.*—By this means, *provisions and labour still remain cheaper among them, than in nations that are not half so rich in gold and silver.*—*The advantages of this situation, in point of trade as well as in great public emergencies, are too evident to be disputed* *.

The same fashion a few years ago prevailed in Genoa, which still has place in *England* and *Holland*, of using services of *china-ware* instead of *plate*; but the senate, foreseeing the consequence, prohibited the use of that brittle commodity beyond a certain extent; while the use of *silver-plate* was left unlimited.—And, I suppose, in their late distresses, they felt the good effect of this ordinance.—*Our tax on plate is, perhaps, in this view, somewhat unpolitic.*

* This has appeared in their late revolution, when the *NATIONAL ASSEMBLY* sanctioned the use of *assignats* for their *internal commerce*; and employed in their *trade to America* and in their *armies* the *precious metals*, as they are called.

Before the introduction of *paper money* into our colonies, they had gold and silver sufficient for their circulation.—Since the introduction of that commodity, the least inconveniency that has followed is the total banishment of the precious metals.—And after the abolition of paper, can it be doubted but money will return, while these colonies possess manufactures and commodities, the only thing valuable in commerce, and for *whose sake alone all men desire money*.

What pity LYCURGUS did not think of paper credit, when he wanted to banish gold and silver from Sparta!—It would have served his purpose better than the lumps of iron he made use of as money; and would also have prevented more effectually all commerce with strangers, as being of so much less real and intrinsic value.

It must, however, be confessed, that, as all these questions of trade and money are extremely complicated, there are certain lights, in which this subject may be placed, so as to represent the *advantages of PAPER CREDIT and BANKS* to be superior to their *disadvantages*.—That they banish specie and bullion from a state is undoubtedly true; and whoever looks no farther than this circumstance does well to condemn them; but specie and bullion are not of so great consequence as not

to

to admit of a compensation, and even an overbalance from the increase of industry and of credit, which may be promoted by the *right use* of PAPER-MONEY.—It is well known of what advantage it is to a merchant to be able to discount his bills *upon occasion*; and every thing that facilitates this species of traffic is favourable to the general commerce of a state.

There was an invention of this kind, which was fallen upon some years ago by the banks of Edinburgh; and which, as it is one of the most ingenious ideas that has been executed in commerce, has also been thought advantageous to Scotland.—*It is there called a BANK-CREDIT; and is of this nature.—A man goes to the bank and finds surety to the amount, we shall suppose, of five thousand pounds.—This money, or any part of it, he has the liberty of drawing out whenever he pleases, and he pays only the ordinary interest for it, while it is in his hands.—He may, when he pleases, repay any sum so small as twenty pounds, and the interest is discounted from the very day of the repayment.—The advantages, resulting from this contrivance, are manifold.—As a man may find surety nearly to the amount of his substance, and his bank-credit is equivalent to ready money, a merchant does hereby in a manner coin his houses, his household furniture, the goods in*

in his warehouse, the foreign debts due to him, his ships at sea ; and can, upon occasion, employ them in all payments, as if they were the current money of the country.—If a man borrow five thousand pounds from a private hand, besides that it is not always to be found when required, he pays interest for it, whether he be using it or not : his bank-credit costs him nothing except during the very moment, in which it is of service to him : and this circumstance is of equal advantage as if he had borrowed money at much lower interest.—Merchants, likewise, from this invention, acquire a great facility in supporting each other's credit, which is a considerable security against bankruptcies.—A man, when his own bank-credit is exhausted, goes to any of his neighbours who is not in the same condition ; and he gets the money, which he replaces at his convenience.

After this practice had taken place during some years at *Edinburgh*, several companies of merchants at *Glasgow* carried the matter *farther*.—They associated themselves into different banks, and issued notes so low as *ten shillings*, which they used in all payments for goods, manufacturers, tradesmen's labour of all kinds; and these notes, from the *established credit* of the com-

E **panies,**

panics, *passed as money* in all payments throughout the country.—By this means, a stock of five thousand pounds was able to perform the same operations as if it were ten or twenty; and merchants were thereby enabled to trade to a *greater extent*, and to require *less profit* in all their transactions.—But whatever other advantages result from these inventions, it must still be allowed *that they banish the precious metals*; and nothing can be a more evident proof of it, than a comparison of the past and present condition of Scotland in that particular.—It was found, upon the recoinage made after the union, that there was near *a million of specie in that country*: but notwithstanding the great increase of riches, commerce, and manufactures of all kinds, it is thought, that, even where there is no extraordinary drain made by England, the current specie will not now amount to *a third of that sum*.

But as our projects of PAPER-CREDIT are almost the only expedient, by which we can *sink money below its level*; so, in my opinion, the only expedient, by which we can *raise money above it*, is a practice which we should all exclaim against as destructive, namely, the gathering of large sums into a public treasure, *locking them*

up, and absolutely preventing their circulation.— a fluid, not communicating with the neighbouring
ment, may, by such an artifice, be raised to what
ght we please.—To prove this, we need only return
our first supposition, of annihilating the half or any
t of our cash; where we found, that the immediate
sequence of such an event would be the attraction of
equal sum from all the neighbouring kingdoms.—
or does there seem to be any necessary bounds set, by
the nature of things, to this practice of hoarding.—A
ill city, like Geneva, continuing this policy for ages,
ght engross nine-tenths of the money of Europe.—
ere seems, indeed, in the nature of man, an invin-
e obstacle to that immense growth of riches.—A
AK STATE, with an enormous treasure, will soon be-
e a prey to some of its poorer, but more powerful, neigh-
rs.—A GREAT STATE would dissipate its wealth in
gerous and ill-concerted projects; and probably destroy,
b it, what is much more valuable, the industry, morals,
! numbers of its people.—The fluid, in this case, raised
oo great a height, bursts and destroys the vessel that
tains it; and mixing itself with the surrounding ele-
nt, soon falls to its proper level.

From these principles we may learn what judgment

we ought to form of those numberless bars, obstructions, and imposts, which all nations of EUROPE, and ~~now~~ more than ENGLAND, have put upon trade; from an exorbitant desire of amassing money, which never will heap up beyond its level, while it circulates; or from an ill-grounded apprehension of losing their specie, which never will sink below it.—Could any thing scatter our riches, it would be such *unpolitic contrivances*.—But this general ill effect, however, results from them, that they deprive neighbouring nations of that *free communication* and *exchange* which the AUTHOR OF THE WORLD has intended, by giving them soils, climates, and *geniuses*, so different from each other.

Our MODERN POLITICS embrace the *only method* of BANISHING money, the using of paper-credit; they *reject* the *only method* of AMASSING it, the practice of hoarding; and they adopt a hundred contrivances, which serve to no purpose but to *check industry*, and to *rob ourselves and our neighbours* of the common benefits of ART and NATURE.

All taxes, however, upon foreign commodities, are not to be regarded as prejudicial or useless, but those only which are founded on the *jealousy* above mentioned.—*A tax on GERMAN linen encourages home manufactures, and thereby multiplies our people and industry.—A tax on*

BRANDY

RANDY increases the sale of rum, and supports our *ubern* colonies.—And as it is necessary, that imposts should be levied, for the support of government, it may be thought more convenient to lay them on foreign commodities, which can easily be intercepted at the port, and subjected to the impost.—We ought, however, always to remember the maxim of Dr. SWIFT, that, in the arithmetic of the customs, two and two make not four, but often make only one.—It can scarcely be doubted, but if the duties on wine were lowered to a third, they would yield much more to the government than at present: our people might thereby afford to drink commonly a better and more wholesome liquor; and no prejudice would ensue to the *balance of trade*, of which we are so jealous.—The manufacture of ale beyond the agriculture is but inconsiderable, and gives employment to few hands.—The transport of wine and corn would not be much inferior.

But are there not frequent instances, you will say, of states and kingdoms, which were formerly rich and opulent, and are now poor and beggarly?—Has not the money left them, with which they formerly abounded?—I answer, If they lose their *trade, industry, and people*, they cannot expect to keep their gold and silver: for

the profits and money which arose from it.—
seat of government is transferred, where empires are maintained at a distance, where great possessions are possessed by foreigners; there naturally follow these causes a diminution of the specie.—But may observe, are violent and forcible methods of taking away money, and are in time common with the transport of people and industry.—these remain, and the drain is not continued, always finds its way back again, by a hundred which we have no notion or suspicion.—*What treasures have been spent, by so many nations and empires, since the revolution, in the course of three years?—More money perhaps than the half of what is in EUROPE.—But what has now become of it?—in the narrow compass of the AUSTRIAN provinces?—it has most of it returned to the several countries, and has followed that art and industry, &c. &c.*

STRUCTURES.—IT IS KNOWN, IT MAY SAFELY TRUST
THE COERCIVE OF HUMAN AUTHORITY WITHOUT
A CRIMINALITY.—OR IF IT EVER GIVE ATTEN-
TION TO THIS LATTER CONSEQUENCE, IT OUGHT
LY TO BE SO FAR AS IT AFFECTS THE FOR-
EIGN.

• End.

SECT.

S E C T. III.

OF THE JEALOUSY OF TRADE.

HAVING endeavoured to remove *one* species of ill-founded jealousy, which is so prevalent among commercial nations, it may not be amiss to mention *another*, which seems equally groundless.—Nothing is more usual, among states which have made some advances in commerce, than to look on the progress of their neighbours with a suspicious eye, *to consider all trading states as their rivals, and to suppose that it is impossible for any of them to flourish, but at their expence.*—In opposition to this narrow and malignant opinion, I will venture to assert, *that the increase of riches and commerce in any one nation, instead of burting, commonly promotes the riches and commerce of all its neighbours; and that a state can scarcely carry its trade and industry very far, where all the surrounding states are buried in ignorance, sloth, and barbarism.*

It is obvious, that the *domestic industry* of a people cannot be hurt by the *greatest prosperity* of their neighbours;

and as this branch of commerce is undoubtedly of great importance in any extensive kingdom, we are so moved from all reason of jealousy.—But I go farther and observe, that *where an open communication is established among nations*, it is impossible but the *domestic industry* of every one must receive an increase from the movements of the others.—Compare the situation of **THE BRITAIN** at present, with what it was two centuries ago.—All the arts both of agriculture and manufactures were then extremely rude and imperfect.—Every movement, which we have since made, has arisen from imitation of foreigners; and we ought so far to consider it happy, that they had previously made advances in art and ingenuity.—But this intercourse is still upon our great advantage: notwithstanding the advanced state of our manufactures, we daily adopt, in art, the inventions and improvements of our neighbours.—The commodity is first imported from abroad, and creates great discontent, while we imagine that it drains our money: afterwards, the art itself is gradually introduced, to our *visible advantage*: yet we continue still to suppose, that our neighbours should possess any art, ingenuity, and invention; forgetting that, had they not instructed us, we should have been at present barbarians.

barians; and did they not still continue their institutions, the arts must fall into a state of languor, and lose that emulation and novelty, which contribute so much to their advancement.

The increase of *domestic industry* lays the foundation of foreign commerce.—Where a great number of commodities are raised and perfected for the home-market, there will always be found some which can be exported with advantage.—But if our neighbours have no art or cultivation, they cannot take them; because they will have nothing to give in exchange.—In this respect, states are in the same condition as individuals.—A single man can scarcely be industrious, where all his fellow-citizens are idle.—The riches of the several members of a community contribute to increase my riches, whatever profession I may follow.—They consume the produce of my industry, and afford me the produce of theirs in return.

Nor needs any state entertain apprehensions, that their neighbours will improve to such a degree in every art and manufacture, as to have no demand from them.—*Nature, by giving a diversity of geniuses, climates, and soils, to different nations, has secured their mutual intercourse and commerce, as long as they all remain industrious and civilized.*

fixed.—Nay, the more the arts increase in any state, the more will be its demands from its industrious neighbours.—The inhabitants, having become opulent and skilful, desire to have every commodity in the utmost perfection; and as they have plenty of commodities to give in exchange, they make large importations from every foreign country.—The industry of the nations, from whom they import, receives encouragement: their own is also increased, by the sale of the commodities which they give in exchange.

But what if a nation has *any staple commodity*, such as the woollen manufactory is in ENGLAND?—Must not the interfering of their neighbours in *that manufactory* be a loss to them?—I answer, that, when any commodity is denominated the staple of a kingdom, it is supposed that this kingdom has some peculiar and natural advantages for raising the commodity; and if, notwithstanding these advantages, they lose such a manufactory, they ought to blame their own idleness, or expensive government, not the industry of their neighbours.—It ought also to be considered, that, by the increase of industry among the neighbouring nations, the consumption of every particular species of commodity is also increased; and though foreign manufactures interfere with us in the market,

the demand for our product may still continue, or even increase.—And should it diminish, ought the consequence to be esteemed so fatal?—If *the spirit of industry* be preserved, it may easily be diverted from one branch to another; and the manufacturers of wool, for instance, be employed in linen, silk, iron, or any other commodities, for which there appears to be a demand.—We need not apprehend, that *all the objects of industry* will be *exhausted*, or that our manufacturers, while they remain on an equal footing with those of our neighbours, will be in danger of wanting employment.—The emulation among rival nations serves rather to keep industry alive in all of them: and any people is happier who possess a variety of manufactures, than if they enjoyed one single great manufacture, in which they are all employed.—Their situation is less precarious; and they will feel less sensibly those revolutions and uncertainties, to which every particular branch of commerce will always be exposed *.

WERE OUR NARROW AND MALIGNANT POLITICS TO MEET WITH SUCCESS, WE SHOULD REDUCE ALL OUR NEIGHBOURING NATIONS TO THE SAME STATE OF SLOTH AND IGNORANCE THAT PREVAILS IN Mo-

* HUME.

ROCCO

ROCCO AND THE COAST OF BARBARY.—BUT WHAT WOULD BE THE CONSEQUENCE?—THEY COULD SEND US NO COMMODITIES: THEY COULD TAKE NONE FROM US: OUR DOMESTIC COMMERCE ITSELF WOULD LANGUISH FOR WANT OF EMULATION, EXAMPLE, AND INSTRUCTION: AND WE OURSELVES SHOULD SOON FALL INTO THE SAME ABJECT CONDITION, TO WHICH WE HAD REDUCED THEM.—I SHALL THEREFORE VENTURE TO ACKNOWLEDGE THAT, NOT ONLY AS A MAN, BUT AS A BRITISH SUBJECT, I PRAY FOR THE FLOURISHING COMMERCE OF GERMANY, SPAIN, ITALY, AND EVEN FRANCE ITSELF.—I AM AT LEAST CERTAIN, THAT GREAT BRITAIN, AND ALL THOSE NATIONS, WOULD FLOURISH MORE, DID THEIR SOVEREIGNS AND MINISTERS ADOPT SUCH ENLARGED AND BENEVOLENT SENTIMENTS TOWARDS EACH OTHER.

SECT.

S E C T. IV.

OF PUBLIC CREDIT.

IT appears to have been the common practice of antiquity, to make provision, during peace, for the necessities of war, and to hoard up treasures before-hand, as the instruments either of conquest or defence; without trusting to extraordinary impositions, much less to borrowing, in times of disorder and confusion.—Besides the immense sums above mentioned*, which were amassed by ATHENS, and by the PTOLEMIES, and other successors of Alexander; we learn from Plato †, that the frugal *Lacedemonians* had also collected a great treasure and Arrian ‡ and Plutarch || take notice of the riches which ALEXANDER got possession of on the conquest of *Susa* and *Ecbatana*, and which were reserved, some of them, from the time of Cyrus.—If I remember right;

* Sect. III.

† ALCIB. I.

‡ Lib. iii.

|| PLUT. in *vita Alex.* He makes these treasures amount to 80,000 talents, or about 15 millions sterling. QUINTUS CURTIUS (lib. v. cap. 2.) says, that Alexander found in *Susa* above 50,000 talents.

the

the scripture also mentions the treasure of HEZEKIAH and the Jewish princes ; as profane history does that of PHILIP and PERSEUS, kings of *Macedon*.—The ancient republics of *Gaul* had commonly large sums in reserve* Every one knows the treasure seized in *Rome* by JULIUS CÆSAR, during the civil wars ; and we find afterwards, that the wiser emperors, AUGUSTUS, TIBERIUS, VESPASIAN, SEVERUS, &c always discovered the prudent foresight, of saving great sums against any public exigency.

On the contrary, our MODERN EXPEDIENT, which has become very general, is to mortgage the public revenues, and to trust that posterity will pay off the incumbrances contracted by their ancestors : and they, having before their eyes so good an example of their wise fathers, have the same prudent reliance on their posterity ; who, at last, from necessity more than choice, are obliged to place the same confidence in a new posterity.—But not to waste time in declaiming against a practice which appears ruinous, beyond all controversy ; it seems pretty apparent, that the ANCIENT MAXIMS are, in this respect, more prudent than the MODERN ; even though the latter had been confined within some reasonable bounds, and had ever, in any instance, been attended with

* STRABO, lib. iv.

such

such frugality, in time of peace, as to discharge the debts incurred by an expensive war.—To trust to chances and temporary expedients, is, indeed, what the necessity of human affairs frequently renders unavoidable; but whoever voluntarily depend on such resources, have not necessity, but their own folly, to accuse for their misfortunes, when any such befall them.

If the abuses of treasures be dangerous, either by engaging the state in rash enterprizes, or making it neglect military discipline, in confidence of its riches; the abuses of mortgaging are more certain and inevitable; poverty, impotence, and subjection to foreign powers

According to MODERN POLICY war is attended with every destructive circumstance; loss of men, increase of taxes, decay of commerce, dissipation of money, devastation by sea and land.—According to ANCIENT MAXIMS, the opening of the public treasure, as it produced an uncommon affluence of gold and silver, served as a temporary encouragement to industry, and atoned, in some degree, for the inevitable calamities of war.

IT IS VERY TEMPTING TO A MINISTER TO EMPLOY SUCH AN EXPEDIENT, AS ENABLES HIM TO MAKE A GREAT FIGURE DURING HIS ADMINISTRATION, WITHOUT OVERBURDENING THE PEOPLE WITH

TAXES, OR EXCITING ANY IMMEDIATE CLAMOURS AGAINST HIMSELF.—THE PRACTICE, THEREFORE, OF CONTRACTING DEBT WILL ALMOST INFALLIBLY BE ABUSED, IN EVERY GOVERNMENT.—IT WOULD SCARCELY BE MORE IMPRUDENT TO GIVE A PRODIGAL SON A CREDIT IN EVERY BANKER'S SHOP IN LONDON, THAN TO IMPOWER A STATESMAN TO DRAW BILLS, IN THIS MANNER, UPON POSTERITY.

What then shall we say to the new paradox, that *public incumbrances* are, of themselves, *advantageous*, independent of the necessity of contracting them; and that any state, even though it were not pressed by a foreign enemy, could not possibly have embraced a *wiser expedient for promoting commerce and riches*, than to *create funds, and debts, and taxes, without limitation*?—Reasonings, such as these, might naturally have passed for trials of wit among rhetoricians, like the panegyrics on folly and a fever, on *BUSIRIS* and *NERO*, had we not seen *such absurd maxims patronized by great ministers, and by a whole party among us*.

Let us examine the consequences of public debts, both in our *domestic* management, by their influence on commerce and industry; and in our *foreign* transactions, by

First, It is certain, that national debts *cause a mighty confluence of people and riches to the capital*, by the great sums, levied in the provinces to pay the interest ; and perhaps, too, by the advantages in trade above mentioned, which they give the merchants in the capital above the rest of the kingdom.—The question is, whether, in our case, it be for the public interest, that so many privileges should be conferred on LONDON, which has already arrived at such an enormous size, and seems still increasing?—Some men are apprehensive of the consequences.—For my own part, I cannot forbear thinking, that, though the head is undoubtedly too large for the body, yet that great city is so happily situated, that its excessive bulk causes less inconvenience than even a smaller capital to a greater kingdom.—There is more difference between the prices of all provisions in Paris and Languedoc, than between those in London and Yorkshire.—*The immense greatness, indeed, of LONDON, under a government which admits not of discretionary power, renders the people factious, mutinous, seditious, and even perhaps rebellious.*—But to this evil the *national debts* themselves tend to provide a remedy. — The first visible eruption, or even immediate danger, of public disorders, must alarm all the stock-holders, whose pro-

perty is the most precarious of any; and will make them fly to the support of government, whether menaced by Jacobitish violence or democratical frenzy.

Secondly, Public stocks, being a kind of paper-credit, have all the disadvantages attending that species of money. —*They banish gold and silver from the most considerable commerce of the state, reduce them to common circulation, and by that means render all provisions and labour dearer than otherwise they would be.*

Thirdly, The taxes, which are levied to pay the interests of these debts, are apt either to heighten the price of labour, or be an oppression on the poorer sort.

Fourthly, As foreigners possess a great share of our national funds, they render the public, in a manner, tributary to them, and may in time occasion the transport of our people and our industry.

Fifthly, The greatest part of public stock being always in the hands of *idle people*, who live on their revenue, our funds give great encouragement to an *useless, gambling, and unactive life*.

But though the injury that arises to commerce and industry from our public funds, will appear, upon balancing the whole, not inconsiderable, it is trivial, in comparison of the prejudice that results to the state con-

sidered as a body politic, which must support itself in the society of nations, and have various transactions with other states.—The ill, there, is pure and unmixed, without any favourable circumstance to atone for it; and it is an ill too of a nature the highest and most important.

We have, indeed, been *told*, that the public is no weaker upon account of its debts; since they are mostly due among ourselves, and bring as much property to one as they take from another.—*It is like transferring money from the right hand to the left; which leaves the person neither richer nor poorer than before.*—Such loose reasonings and specious comparisons will always pass, where we judge not upon principles.—I ask, Is it possible, in the nature of things, to overburthen a nation with taxes, even where the sovereign resides among them?—*The very doubt seems extravagant; since it is requisite, in every community, that there be a certain proportion observed between the laborious and the idle part of it.*—*But if all our present taxes be mortgaged, must we not invent new ones? And may not this matter be carried to a length that is ruinous and destructive?*

In every nation, there are always some methods of levying money more easy than others, agreeably to the way

way of living of the people, and the commodities they make use of.—In Britain, the excises upon malt and beer afford a large revenue; because the operations of malting and brewing are tedious, and are impossible to be concealed; and at the same time, these commodities are not so absolutely necessary to life, as that the raising their price would very much affect the poorer sort.—*These taxes being all mortgaged, what difficulty to find new ones! what vexation and ruin of the poor!*

It will scarcely be asserted, that no bounds ought ever to be set to national debts; and that the public would be so weaker, were twelve or fifteen shillings in the pound, and-tax, mortgaged, with all the present customs and excises.—There is something, therefore, in the case, beside the mere transferring of property from one hand to another.

Suppose the public once fairly brought to that condition, to which it is hastening with such amazing rapidity; suppose the land to be taxed eighteen or nineteen shillings in the pound; for it can never bear the whole twenty; suppose all the excises and customs to be screwed up to the utmost which the nation can bear, without entirely losing its commerce and industry; and suppose that all those funds are mortgaged to perpetuity, and that the invention and wit of all our projectors

projectors can find no new imposition, which may serve as the foundation of a new loan ; and let us consider the necessary consequences of this situation.—Though the imperfect state of our political knowledge, and the narrow capacities of men, make it difficult to foretel the effects which will result from any untried measure, the seeds of ruin are here scattered with such profusion as not to escape the eye of the most careless observer.

Though a resolution should be formed by the legislature never to impose any tax which hurts commerce and discourages industry, it will be impossible for men, in subjects of such extreme delicacy, to reason so justly as never to be mistaken, or, amidst difficulties so urgent, never to be seduced from their resolution.—The continual fluctuations in commerce require continual alterations in the nature of the taxes ; which exposes the legislature every moment to the danger both of wilful and involuntary error.—And any great blow given to trade, whether by injudicious taxes or by other accidents, throws the whole system of government into confusion.

I must confess, that there is a strange supineness, from long custom, crept into all ranks of men, with regard to public debts, not unlike what divines so vehemently complain of with regard to their religious doctrines.—

W_C

all own, that the most sanguine imagination cannot conceive, either that this or any future ministry will be possessed of such rigid and steady frugality, as to make a considerable progress in the payment of our debts; or that the situation of foreign affairs will, for any long time, allow them leisure and tranquillity for such an undertaking.—*What then is to become of us?*—Were we not so good Christians, and ever so resigned to Providence; this, methinks, were a curious question, even considered as a speculative one, and what it might not altogether impossible to form some conjectural solution of.—The events here will depend little upon the contingencies of battles, negotiations, intrigues, and facings.—There seems to be a natural progress of things, which may guide our reasoning.—As it would have required but a moderate share of prudence, when we first began this practice of mortgaging, to have foretold, from the nature of men and of ministers, that things would necessarily be carried to the length we see; so now, that they have at last happily reached it, it may not be difficult to guess at the consequences.—IT MUST, INDEED, BE ONE OF THESE TWO EVENTS; EITHER THE NATION MUST DESTROY PUBLIC CREDIT, OR PUBLIC CREDIT WILL DESTROY THE NATION.—It is

is impossible that they can both subsist, after the manner they have been hitherto managed, in this, as well as in some other countries.—*But it is more probable, that the breach of national faith will be the necessary effect of wars, defeats, misfortunes, and public calamities, or even perhaps of victories and conquests.*—I MUST CONFESS, WHEN SEE PRINCES AND STATES FIGHTING AND QUARRELLING, AMIDST THEIR DEBTS, FUNDS, AND PUBLIC MORTGAGES, IT ALWAYS BRINGS TO MY MIND A MATCH OF CUDGEL-PLAYING FOUGHT IN A CHINA SHOP !!

How can it be expected, that sovereigns will spare a species of property, which is pernicious to themselves and to the public, when they have so little compassion on lives and properties, that are useful to both?—Let the time come (and surely it will come) when the *new funds*, created for the exigencies of the year, are not subscribed to, and raise not the money projected.—Suppose, either that the cash of the nation is exhausted; or that our faith, which has been hitherto so ample, begins to fail us.—Suppose that, in this distress, the nation is threatened with an invasion; a rebellion is suspected or broken out at home; a squadron cannot be equipped for want of pay, victuals, or repairs; or even a foreign subsidy

subsidy cannot be advanced.—What must a prince or minister do in such an emergency?—The right of self-reservation is unalienable in every individual, much more in every community.—And the folly of our statesmen must then be greater than the folly of those who first contracted debt, or, what is more, than that of those who trusted, or continue to trust, this security, if these statesmen have the means of safety in their hands, and do not employ them.—The funds, created and mortgaged, will, by that time, bring in a large yearly revenue, sufficient for the defence and security of the nation: money is perhaps lying in the exchequer, ready for the discharge of the quarterly interest: *Necessity calls, war urges, reason exhorts, compassion alone exclaims: the money will immediately be seized for the current service, under the most solemn protestations, perhaps, of being immediately replaced.*—But no more is requisite.—The whole fabric, already tottering, falls to the ground, and lies thousands in its ruins.—And this, I think, may be called the NATURAL DEATH of public credit: for to this period it tends as naturally as an animal body to its dissolution and destruction.

So great dupes are the generality of mankind, that, notwithstanding such a violent shock to public credit,

as a voluntary bankruptcy in England would occasion, it would not probably be long, ere credit would again revive in as flourishing a condition as before.—The late king of France, during the last war, borrowed money at lower interest than ever his grandfather did; and as low as the British parliament, comparing the natural rate of interest in both kingdoms.—And though men are commonly more governed by what they have seen, than by what they foresee, with whatever certainty; yet promises, protestations, fair appearances, with the allurements of present interest, have such powerful influence as few are able to resist.—Mankind are, in all ages, caught by the same baits: the same tricks, played over and over again, still trepan them.—The heights of popularity and patriotism are still the beaten road to power and tyranny; flattery to treachery; standing armies to arbitrary government; and the glory of God to the temporal interest of the clergy.—The fear of an everlasting destruction of credit, allowing it to be an evil, is a needless bugbear.—A prudent man, in reality, would rather lend to the public immediately after they had taken a sponge to their debts, than at present; as much as an opulent knave, even though one could not force him to pay, is a preferable debtor to an honest bankrupt;

upt: for the former, in order to carry on business, and it his interest to discharge his debts, where they are exorbitant; the latter has it not in his power.—The reasoning of Tacitus *, as it is eternally true, is applicable to our present case.—*Sed vulgus ad imaginem beneficiorum aderat: stultissimus quisque per mercabatur: Apud sapientes cassa habebantur, neque dari neque accipi, salva republica, poterant.* *public is a debtor, whom no man can oblige to pay.—The only check which the creditors have upon her, is the risk of preserving credit; an interest, which may easily be balanced by a great debt, and by a difficult and extraordinary emergence, even supposing that credit irrecoverable.*—Not to mention, that a present necessity often converts states into measures, which are, strictly speaking, at their interest.

These two events, supposed above, are calamitous, not the most calamitous.—Thousands are thereby exposed to the safety of millions.—But we are not without danger, that the contrary event may take place, and millions may be sacrificed for ever to the temporary safety of thousands.—Our popular government, perhaps, will render it difficult or dangerous for a minister to ven-

* Hist. lib. iii.

ture on so desperate an expedient, as that of a *voluntary bankruptcy*.—And though the House of Lords be altogether composed of proprietors of land, and the House of Commons chiefly; and consequently neither of them can be supposed to have great property in the funds: yet the connections of the members may be so great with the proprietors, as to render them more tenacious of public faith, than prudence, policy, or even justice, strictly speaking, requires.—And perhaps too, our foreign enemies may be so politic as to discover, that our safety lies in despair, and may not, therefore, show the danger, open and barefaced, till it be inevitable.—*The balance of power in EUROPE, our grandfathers, our fathers, and we, have all esteemed too unequal to be preserved without our attention and assistance.*—But our children, weary of the struggle, and fettered with incumbrances, may sit down secure, and see their neighbours oppressed and conquered; till, at last, they themselves and their creditors lie both at the mercy of the conqueror.—And this may properly enough be denominated the **VIOLENT DEATH** of our public credit *.

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S E C T. V.

OF PUBLIC DEBTS.

IN that rude state of society which precedes the extension of commerce and the improvement of manufactures, when those expensive luxuries which commerce and manufactures can alone introduce are altogether unknown, the person who possesses a large revenue, can spend or enjoy that revenue in no other way than by maintaining nearly as many people as it can maintain.—An *hospitability* in which there is *no luxury*, and a *liberality* in which there is *no ostentation*, occasion, in this situation of things, the principal expences of the rich and the great.—But these are expences by which people are not very apt to ruin themselves.—There is not, perhaps, any selfish pleasure so frivolous, of which the pursuit has not sometimes ruined even sensible men.—A passion for cock-fighting has ruined many.—But the instances, I believe, are not very numerous of people who have been ruined by a *hospitability* or *liberality* of this kind; though the *hospitability* of *luxury* and the *libera-*

lity of ostentation have ruined many. Among our feudal ancestors, the long time during which estates used to continue in the same family, sufficiently demonstrates the general disposition of people to live within their income.

In a commercial country abounding with every sort of expensive luxury, the sovereign, in the same manner as almost all the great proprietors in his dominions, naturally spends a great part of his revenue in purchasing luxuries.—His own and the neighbouring countries supply him abundantly with all the costly trinkets which compose the splendid, but insignificant, pageantry of a court.—His ordinary expence becomes equal to his ordinary revenue, and it is well if it does not frequently exceed it.—The amassing of treasure can no longer be expected, and when extraordinary exigencies require extraordinary expences, he must necessarily call upon his subjects for an extraordinary aid.—The late King of Prussia and his father are the only great princes of Europe, who, since the death of Henry IV. of France in 1610, are supposed to have amassed any considerable treasure.—The parsimony which leads to accumulation has become almost as rare in *republican* as in monarchical governments.—The Italian republics, the United Provinces

vinces of the Netherlands, are all in debt.—The canton of Berne is the single republic in Europe which has amassed any considerable treasure.—The other Swiss republics have not.—The taste for some sort of pageantry, for splendid buildings, at least, and other public ornaments, frequently prevails as much in the apparently sober senate-house of a little republic, as in the diffipated court of the greatest king.

The want of parsimony in time of peace, imposes the necessity of contracting debt in time of war.—When war comes, there is no money in the treasury but what is necessary for carrying on the ordinary expence of the peace establishment.—In war an establishment of three or four times that expence becomes necessary for the defence of the state, and consequently a revenue three or four times greater than the peace revenue.—Supposing that the sovereign should have, what he scarce ever has, the immediate means of augmenting his revenue in proportion to the augmentation of his expence, yet still the produce of the taxes, from which this increase of revenue must be drawn, will not begin to come into the treasury till perhaps ten or twelve months after they are imposed.—But the moment in which war begins, or rather the moment in which it appears likely to begin, the army must

must be augmented, the fleet must be fitted out, thearrisoned towns must be put into a posture of defence; that army, that fleet, those garrisoned towns, must be furnished with arms, ammunition, and provisions.—An immediate and great expence must be incurred in that moment of immediate danger, which will not wait for the gradual and slow returns of the new taxes.—In this exigency government can have no other resource but in *borrowing*.

A country abounding with merchants and manufacturers, necessarily abounds with a set of people through whose hands not only their own capitals, but the capitals of all those who either lend them money, or trust them with goods, pass as frequently, or more frequently, than the revenue of a private man, who, without trade or business, lives upon his income, passes through his hands.—The revenue of such a man can regularly pass through his hands only once in a year.—But the whole amount of the capital and credit of a merchant, who deals in a trade of which the returns are very quick, may sometimes pass through his hands two, three, or four times, in a year.—A country abounding with merchants and manufacturers, therefore, necessarily abounds with a set of people who have it at all times in their

power to advance, if they choose to do so, a very large sum of money to government.—*Hence the ability in the subjects of a commercial state to lend.*

Commerce and manufactures can seldom flourish long in any state which does not enjoy a regular administration of justice, in which the people do not feel themselves secure in the possession of their property, in which the faith of contracts is not supported by law, and in which the authority of the state is not supposed to be regularly employed in enforcing the payment of debts from all those who are able to pay.—Commerce and manufactures, in short, can seldom flourish in any state in which there is not a certain degree of confidence in the justice of government.—The same confidence which disposes great merchants and manufacturers, upon ordinary occasions, to trust their property to the protection of a particular government, disposes them, upon extraordinary occasions, to trust that government with the use of their property.—By lending money to government, they do not even for a moment diminish their ability to carry on their trade and manufactures.—On the contrary, they commonly augment it.—The necessities of the state render government upon most occasions willing to borrow upon terms extremely advanta-

geous to the lender.—The security which it grants to the original creditor, is made transferable to any other creditor, and, from the universal confidence in the justice of the state, generally sells in the market for more than was originally paid for it.—The merchant or moneyed man makes money by lending money to government, and instead of diminishing, increases his trading capital.—He generally considers it as a favour, therefore, when the administration admits him to a share in the first subscription for a new loan.—*Hence the inclination or willingness in the subjects of a commercial state to lend.*

THE GOVERNMENT OF SUCH A STATE IS VERY APT TO REPOSE ITSELF UPON THIS ABILITY AND WILLINGNESS OF ITS SUBJECTS TO LEND THEIR MONEY ON EXTRAORDINARY OCCASIONS.—IT FORESEES THE FACILITY OF BORROWING, AND THEREFORE DISPENSES ITSELF FROM THE DUTY OF SAVING.

In a rude state of society there are no great mercantile or manufacturing capitals.—The individuals, who hoard whatever money they can save, and who conceal their hoard, do so from a distrust of the justice of government, from a fear that if it was known that they had a hoard, and where that hoard was to be found, they would quickly be plundered.—In such a state of things few

people would be able, and nobody would be willing, to lend their money to government on extraordinary exigencies.—The sovereign feels that he must provide for such exigencies by saving, because he foresees the absolute impossibility of borrowing.—This foresight increases still further his natural disposition to save.

THE PROGRESS OF THE ENORMOUS DEBTS WHICH AT PRESENT OPPRESS, AND WILL IN THE LONG-RUN PROBABLY RUIN, ALL THE GREAT NATIONS OF EUROPE, HAS BEEN PRETTY UNIFORM.—Nations, like private men, have generally begun to borrow upon what may be called personal credit, without assigning or mortgaging any particular fund for the payment of the debt; and when this resource has failed them, they have gone on to borrow upon assignments or mortgages of particular funds.

In Great Britain the annual land and malt taxes are regularly anticipated every year, by virtue of a borrowing clause constantly inserted into the acts which impose them.—The bank of England generally advances at an interest, which since the revolution has varied from eight to three *per cent.* the sums for which those taxes are granted, and receives payment as their produce gradually comes in.—If there is a deficiency, which there

always

always is, it is provided for in the supplies of the ensuing year.—The only considerable branch of the public revenue which yet remains unmortgaged is thus regularly spent before it comes in.—*Like an improvident spendthrift, who's pressing occasions will not allow him to wait for the regular payment of his revenue, the state is in the constant practice of borrowing of its own factors and agents, and of paying interest for the use of its own money.*

In the reign of King WILLIAM, and during a great part of that of Queen ANNE, before we had become so familiar as we are now with the practice of perpetual funding, the greater part of the new taxes were imposed but for a short period of time (for four, five, six, or seven years only), and a great part of the grants of every year consisted in loans upon *anticipations* of the produce of those taxes.—The produce being frequently insufficient for paying within the limited term the principal and interest of the money borrowed, deficiencies arose, to make good which it became necessary to prolong the term.

In consequence of different subsequent acts, the greater part of the taxes which before had been anticipated only for a short term of years, were rendered *perpetual* as a fund

fund for paying, *not the capital*, but *the interest only*, of the money which had been borrowed upon them by different successive anticipations.

Had money never been raised but by anticipation, the course of a few years would have liberated the public revenue, without any other attention of government besides that of not overloading the fund by charging it with more debt than it could pay within the limited term, and of not anticipating a second time before the expiration of the first anticipation.—*But the greater part of European governments have been incapable of those intentions.*—They have frequently overloaded the fund even upon the first anticipation ; and when this happened not to be the case, they have generally taken care to overload it, by anticipating a second and a third time before the expiration of the first anticipation.—The fund becoming in this manner altogether insufficient for paying both principal and interest of the money borrowed upon it, it became necessary to charge it with the *interest only*, or a perpetual annuity equal to the interest, and such unprovident *anticipations* necessarily gave birth to the more ruinous practice of *perpetual funding*.—But though this practice necessarily puts off the liberation of the public revenue from a fixed period to one so infinite

finite THAT IT IS NOT VERY LIKELY EVER TO ARRIVE; yet as a greater sum can in all cases be raised by this new practice than by the old one of anticipations, the former, when men have once become familiar with it, has in the great exigencies of the state been universally preferred to the latter.—*To relieve the present exigency is always the object which principally interests those immediately concerned in the administration of public affairs.—The future liberation of the public revenue, they leave to the care of posterity.*

Besides those two methods of borrowing, by anticipations and by perpetual funding, there are two other methods, which hold a sort of middle place between them.—These are, that of borrowing upon annuities for terms of years, and that of borrowing upon annuities for lives.

In England, the seat of government being in the greatest mercantile city in the world, the merchants are generally the people who advance money to government.—By advancing it they do not mean to diminish, but, on the contrary, to increase their mercantile capitals; and unless they expected to sell with some profit their share in the subscription for a new loan, they never would subscribe.

The

The ordinary expence of the greater part of modern governments in time of peace being equal or nearly equal to their ordinary revenue, when **WAR** comes, they are both *unwilling* and *unable* to increase their revenue in proportion to the increase of their expence:—*They are UNWILLING, for fear of offending the people, who by so great and so sudden an increase of taxes, would soon be disgusted with the war; and they are UNABLE, from not well knowing what taxes would be sufficient to produce the revenue wanted.*—The facility of *borrowing* delivers them from the embarrassment which this fear and inability would otherwise occasion.—By means of *borrowing* they are enabled, with a very moderate increase of taxes, to raise, from year to year, money sufficient for carrying on the war, and by the practice of perpetual funding they are enabled, with the smallest possible increase of taxes, to raise annually the largest possible sum of money.

The return of peace, indeed, seldom relieves the nation from the greater part of the taxes imposed during war.—These are mortgaged for the *interest* of the debt contracted in order to carry it on.—If, over and above paying the interest of this debt, and defraying the ordinary expence of government, the old revenue, together

with

with the new taxes, produce some surplus revenue, it may perhaps be converted into a *sinking fund* for paying off the debt.—But, in the first place, this sinking fund, even supposing it should be applied to no other purpose, is generally altogether inadequate for paying, in the course of any period during which it can reasonably be expected that peace should continue, the whole debt contracted during the war; and, in the second place, this fund is almost always applied to other purposes.

The new taxes were imposed for the sole purpose of paying the interest of the money borrowed upon them.—If they produce more, it is generally something which was neither intended nor expected, and is therefore seldom very considerable.

During the most profound peace, various events occur which require an extraordinary expence, and government finds it always more convenient to defray this expence by *misapplying* the *sinking fund* than by imposing a *new tax*.—Every new tax is immediately felt more or less by the people.—It occasions always some murmur, and meets with some opposition.—The more taxes may have been multiplied, the higher they may have been raised upon every different subject of taxation; the more loudly the people complain of every new tax, the more

difficult it becomes too either to find out new subjects of taxation, or to raise much higher the taxes already imposed upon the old.—A momentary suspension of the payment of debt is not immediately felt by the people, and occasions neither murmur nor complaint.—*To borrow of the sinking fund is always an obvious and easy expedient for getting out of the present difficulty.*—The more the public debts may have been accumulated, the more necessary it may have become to study to reduce them, the more dangerous, the more ruinous it may be to misapply any part of the sinking fund ; the less likely is the public debt to be reduced to any considerable degree, the more likely, the more certainly is the sinking fund to be misapplied towards defraying all the extraordinary expences which occur in time of peace.—When a nation is already overburdened with taxes, nothing but the necessities of a new war, nothing but either the animosity of national vengeance, or the anxiety for national security, can induce the people to submit, with tolerable patience, to a new tax —*Hence the usual misapplication of the sinking fund.*

Were the expence of war to be defrayed always by a revenue raised within the year, the taxes from which that extraordinary revenue was drawn would last no longer

the war.—The ability of private people to, though less during the war, would have r during the peace than under the system of War would not necessarily have occasioned tion of any old capitals, and peace would have the accumulation of many more new.—*Wars* general be *more speedily concluded, and less undertaken.*—The people feeling, during the ~~time~~ of war, the complete burden of it, would weary of it, and government, in order to em, would not be under the necessity of car- longer than it was necessary to do so.—The ~~for~~ the heavy and unavoidable burdens of war ~~for~~ the people from wantonly calling for it, was no real or solid interest to fight for.

unding, besides, has made a certain progress, lication of taxes which it brings along with it impairs as much the ability of private people ate even in time of peace, as the other system time of war.—The peace revenue of Great ounts at present to more than ten millions a free and unmortgaged, it might be sufficient, er management, and without contracting a new debt, to carry on the most vigorous war.

—The

—The private revenue of the inhabitants of Great Britain is at present as much encumbered in time of peace, their ability to accumulate it as much impaired as it would have been in the time of the most expensive war, had the pernicious system of funding never been adopted.

In the payment of the interest of the public debt, it has been said, “it is the right hand which pays the left. “The money does not go out of the country. It is “only a part of the revenue of one set of the inhabitants “which is transferred to another; and the nation is not “a farthing the poorer.”—*This apology* is founded altogether in the *sophistry* of the *mercantile system**.—It supposes, besides, that the whole public debt is owing to the inhabitants of the country, which happens not to be true; the Dutch, as well as several other foreign nations, having a very considerable share in our public funds.—But though the whole debt were owing to the inhabitants of the country, it would not upon that account be *less pernicious*.

LAND and CAPITAL STOCK are the two original

* This is proved a little further on. “TO TRANSFER from—*to*, &c.” which see page 78.

sources of all revenue both private and public.—Capital stock pays the wages of productive labour, whether employed in agriculture, manufactures, or commerce.—The management of those two original sources of revenue belongs to two different sets of people; the proprietors of land, and the owners or employers of capital stock.

The proprietor of LAND is interested for the sake of his own revenue to keep his estate in as good condition as he can, by building and repairing his tenants houses, by making and maintaining the necessary drains and enclosures, and all those other expensive improvements which it properly belongs to the landlord to make and maintain.—But by different land-taxes the revenue of the landlord may be so much diminished; and by different duties upon the necessaries and conveniencies of life, that diminished revenue may be rendered of so little real value, that he may find himself altogether unable to make or maintain those expensive improvements.—When the landlord, however, ceases to do his part, it is altogether impossible that the tenant should continue to do his.—As the distress of the landlord increases, the farm, or town house, must necessarily decline.

When, by different taxes upon the necessaries and conveniencies

conveniencies of life, *the owners and employers of capital stock* find, that whatever revenue they derive from it, will not, in a particular country, purchase the same quantity of those necessaries and conveniencies which an equal revenue would in almost any other, they will be disposed to remove to some other.—And when, in order to raise those taxes, all or the greater part of merchants and manufacturers, that is, all or the greater part of the employers of great capitals, come to be continually exposed to the mortifying and vexatious visits of the tax-gatherers, this disposition to remove will soon be changed into an actual removal.—The industry of the country will necessarily fall with the removal of the capital which supported it, and the ruin of trade and manufactures will follow the declension of agriculture.

To TRANSFER from the owners of those two great sources of revenue, land and capital stock, *from the persons immediately interested in the good condition of every particular portion of land, and in the good management of every particular portion of capital stock, to another set of persons (the creditors of the public, who have no such particular interest)*, the greater part of the revenue arising from either must, in the long-run, occasion

both

both the neglect of land, and the waste or removal of capital stock.—A creditor of the public has no doubt a general interest in the prosperity of the agriculture, manufactures, and commerce of the country; and consequently in the good condition of its lands, and in the good management of its capital stock.—Should there be any general failure or declension in any of these things, the produce of the different taxes might no longer be sufficient to pay him the annuity or interest which is due to him.—But a creditor of the public, considered merely as such, has no interest in the good condition of any particular portion of land, or in the good management of any particular portion of capital stock.—As a creditor of the public he has no knowledge of any such *particular* portion.—He has no inspection of it.—He can have no care about it.—Its ruin may in some cases be unknown to him, and cannot directly affect him.

The practice of funding has gradually enfeebled every state which has adopted it.—The ITALIAN republics seem to have begun it.—GENOA and VENICE, the only two remaining which can pretend to an independent existence, have both been enfeebled by it.—SPAIN seems to have learned the practice from the Italian republics,

and (its taxes being probably less judicious than theirs) it has, in proportion to its natural strength, been still more enfeebled.—The debts of Spain are of very old standing.—It was deeply in debt before the end of the sixteenth century, about a hundred years before England owed a shilling.—FRANCE, notwithstanding all its natural resources, languished under an oppressive load of the same kind.—The republic of the UNITED PROVINCES is as much enfeebled by its debts as either Genoa or Venice.—Is it likely that in GREAT BRITAIN alone a practice, which has brought either weakness or desolation into every other country, should prove altogether innocent?

The system of taxation established in those different countries, it may be said, is inferior to that of England.—I believe it is so.—But it ought to be remembered, that when the wisest government has exhausted all the *proper subjects of taxation*, it must, in cases of urgent necessity, have recourse to *improper ones*.—The wise republic of HOLLAND has upon some occasions been obliged to have recourse to taxes as inconvenient as the greater part of those of SPAIN.—*Another war begin before any considerable liberation of the public revenue had been brought about, and growing in its progress as expensive as the*

The last war, may, from irresistible necessity, render the British system of taxation as oppressive as that of HOLLAND, or even as that of SPAIN.—To the honour of our present system of taxation, indeed, it has *hitherto* given so little embarrassment to industry, that, during the course even of the most expensive wars, the frugality and good conduct of individuals seem to have been able, by saving and accumulation, to repair all the breaches which the *waste* and *extravagance* of GOVERNMENT had made in the general capital of the society.—At the conclusion of the late war, the most expensive that GREAT BRITAIN ever waged*, her agriculture was as flourishing, her manufacturers as numerous and as fully employed, and her commerce as extensive, as they had ever been before.—The capital, therefore, which supported all those different branches of industry, must have been equal to what it had ever been before.—Since the peace, agriculture has been still further improved, the rents of houses have risen in every town and village of the country, a proof of the increasing wealth

* It has proved more expensive than any of our former wars; and has involved us in an additional debt of more than *one hundred millions!* During a profound peace of eleven years, little more than *ten millions* of debt was paid; during a war of seven years, more than *one hundred millions* was contracted.

and revenue of the people ; and the annual amount of the greater part of the old taxes, of the principal branches of the excise and customs in particular, has been continually increasing ; an equally clear proof of an increasing consumption, and consequently of an increasing produce, which could alone support that consumption.—**GREAT BRITAIN** *seems to support with ease, a burden which, half a century ago, nobody believed her capable of supporting.*—**LET US NOT, HOWEVER, UPON THIS ACCOUNT RASHLY CONCLUDE THAT SHE IS CAPABLE OF SUPPORTING ANY BURDEN ; NOR EVEN BE TOO CONFIDENT THAT SHE COULD SUPPORT, WITHOUT GREAT DISTRESS, A BURDEN A LITTLE GREATER THAN WHAT HAS ALREADY BEEN LAID UPON HER *.**

* Adam Smith.

SECT.

S E C T. VI.

ON WAR.

IN *ancient times*, men went to war without much ceremony or pretence: it was thought reason good enough to justify the deed, *if one man liked what another man had*; and war and robbery were the honourable professions; nothing was *dishonourable* but the arts of *peace* and *industry*; this is HERODOTUS's account of the manner of living of the *barbarians* of *Thrace*: and this, with very small alterations, might serve to characterise *all other barbarians*, either of *ancient* or *modern times*.

But at present, *we*, who choose to call ourselves *civilized nations*, generally affect a more *ceremonious parade*, and *many pretences*.—Complaints are first made of some injury received, some right violated, some encroachment, detention, or usurpation, and *none will acknowledge themselves the aggressors*; nay, a solemn appeal is made to

HEAVEN for the *truth* of *each assertion*, and the FINAL AVENGER OF THE OPPRESSED, and SEARCHER OF ALL HEARTS, is called upon to maintain the *righteous cause*, and to *punish* the *wrong-doer*.—Thus it is with *both parties*; and while *neither* of them will own the *true motives*, perhaps it is *apparent to all the world*, that, on *one side*, if not on *both*, A THIRST OF GLORY, A LUST OF DOMINION, THE CABALS OF STATESMEN, OR THE RAVENOUS APPETITES OF INDIVIDUALS FOR POWER OR PLUNDER, FOR WEALTH WITHOUT INDUSTRY, AND GREATNESS WITHOUT TRUE MERIT, *were the only real and genuine springs of action*.

Now the aims of *princes* in these wars are partly the *same* with, and partly *different* from, those of their *subjects*; as far as *RENOWN* is concerned, their views are *alike*, for *heroism* is the *wish* and *envy* of all *mankind*; and to be a *nation of heroes*, under the *conduct* of an *heroic leader*, is regarded both by *prince* and *people*, as the *summit* of all *earthly happiness*.

It is really astonishing to think with what applause and eclat the feats of such inhuman monsters are transmitted down, in all the pomp of prose and verse, to distant generations: nay, let a prince but feed his subjects with the empty dict of military fame, it matters not what he does besides, in regard

regard to themselves as well as others ; for the lives and liberties, and every thing that can render society a blessing, are willingly offered up as a sacrifice to this idol, GLORY.— Were the fact to be examined into, you would find, perhaps without a single exception, that the greatest conquerors abroad have proved the heaviest tyrants at home.— However, as victory, like charity, covereth a multitude of sins, thus it comes to pass that reasonable beings will be content to be slaves themselves, provided they may enslave others ; and while the people can look up to the glorious hero on the throne, they will be dazzled with the splendour that surrounds him, and forget the ills of the oppressor.

Now, from this view of things, one would be tempted to imagine, that a practice so universally prevailing was founded in the course and constitution of nature.— One would be tempted to suppose, that mankind were created *in purpose* to be engaged in destructive wars, and to worry and devour one another.— And yet, when we examine into this affair, neither REASON nor EXPERIENCE will give the least countenance to this supposition.

The REASON of the thing we will consider now, and reserve THE FACT till by and by.— Thus, for example, the inhabitants of one county, or one city, have not so

much as an idea, that A BEING OVERFLOWING WITH BENEVOLENCE has made them the constitutional foes of another county or city under the *same* government: nor do we at all conceive, that this or that particular town, or district, can grow rich, or prosper, only by the districts or towns around it being reduced to poverty, or made a dreary waste.—*On the contrary*, we naturally conclude, and justly too, that their interests are inseparable from our own; and were their numbers to be diminished, or their circumstances altered from affluence to want, we ourselves, in the rotation of things, should soon feel the bad effects of such a change.

If, therefore, this is the case with respect to *human governments*; and if *they*, notwithstanding all their faults and failings, can regulate matters so much for the better; how then comes it to pass, that we should ascribe so much imperfection, such want of benevolence, such partiality, nay, such premeditated mischief, to that great and equal government which presideth *over all*?—Is it, do you think, that ALMIGHTY GOD cannot make two large districts, *France* and *England* for example, happy but by the misery of the other?—Or is it, that he has so egregiously blundered in the first framing the constitution of things as to render those exploits, called *Wars*, necessary

necessary for the good of the whole under *his* administration, which you would justly consider to be a disgrace to *yours*, and severely punish as an outrage?—Surely no; and we cannot, without blasphemy, ascribe that conduct to THE BEST OF BEINGS, which is almost *too bad* to be supposed of the *worst*: surely it is much more consonant to the dictates of unbiased reason to believe, that our COMMON PARENT, and UNIVERSAL LORD, regards all his children and subjects with an eye of equal tenderness and good-will; and to be firmly persuaded, that in his plan of government the political interest of nations cannot be repugnant to those moral duties of humanity and love, which he has so universally prescribed.—So much as to THE REASON of the thing: let us now consider the FACT, and be determined by experience.

Princes expect to get by successful wars, and a series of conquests, either *more territory*, or *more subjects*, or a *more ample revenue*; or perhaps, which is generally the case, they expect to obtain all three.

1. Now, in regard to TERRITORY, if mere superficies were the thing to be aimed at, it must be allowed, that a country of a million of square miles is *more* in quantity than one of half that extent.—But if countries are not to be valued by acres, but by the *cultivation* and the *produce*

duce of those acres, then it follows, that ten acres may be better than a thousand, or perhaps ten thousand *.

2. As to NUMBERS OF SUBJECTS, surely war and conquest are not the most likely means of attaining this end; and a scheme, which consists in the destruction of the human species, is a very strange one indeed to be proposed for their increase and multiplication; nay, granting that numbers of subjects might be acquired, together with the accession of territory, still these new subjects would add no real strength to the state; because new acquisitions would require more numerous defences, and because a people scattered over an immense tract of country are, in fact, much weaker than half their num-

* My notion of national improvement, security, and happiness, tends not so much to the extending of our commerce, or increasing the number of our manufactures, as to the encouragement of an hardy and, comparatively speaking, innocent race of peasants, *by making corn to grow on millions of acres of land, where none has ever grown before.* From a late computation of Sir JOHN SINCLAIR, it appears that in Great Britain there are 22,352,000 acres of waste land. Let us but once have as many Britons in the kingdom, as the lands of Great Britain are able to sustain, and we shall have little to regret in the loss of *America*; nothing to apprehend from the partitioning policy of all the continental despots in Europe. I enter not into the question concerning the population of the country: for whatever may be the present number of the inhabitants of Great Britain, there is no one who has thought upon the subject, but must admit, **THAT WERE OUR LANDS BROUGHT TO THEIR PROPER STATE OF CULTIVATION, THEY WOULD AFFORD MAINTENANCE TO TWICE AS MANY AS AT PRESENT EXIST IN THIS COUNTRY.** *The Bishop of Landaff.*

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bers acting in concert together, and able by their vicinity to succour one another.

Moreover, as to the affair of THE REVENUE, and the produce of taxes, the same arguments conclude equally strong in this case as in the former: and the indisputable fact is, that an ill-peopled country, though large and extensive, neither produces so great a revenue as a small one well cultivated and populous: nor if it did, would the neat produce of such a revenue be equal to that of the other, because it is, in a manner, swallowed up in *governments, guards, and garrisons, in salaries and pensions, and all the concurring perquisites and expences attendant on distant provinces.*

In reference to the views of the people; as far as such views coincide with those of the prince, so they have been considered already: but seeing that the thirst of inordinate riches in private subjects, which pushes them on to wish so vehemently for war, has something in it distinct from *the avarice of princes*; let us now examine, whether this trade of war is a likely method to make a people *rich*, and let us consider every plea that can be offered.—“ Surely, say these men, to return home laden “ with the spoils of wealthy nations is a compendious “ way of getting wealth; surely we cannot be deceived

" in so plain a case : for we see that what has been ga-
 " thering together and accumulating for years, and per-
 " haps for ages, thus becomes our own at once ; and
 " more might be acquired by a happy victory within the
 " compass of a day, perhaps of an hour, than we could
 " otherwise promise to ourselves by the tedious pursuits
 " of industry through the whole course of a long labo-
 " rious life."

Now, in order to treat with this people in their own way, I would not awake them out of their present golden dream ; I would therefore suppose, that they might succeed to their hearts desire, though there is a chance at least of being disappointed, and of meeting with captivity instead of conquest : I will wave likewise all considerations drawn from the intoxicating nature of riches, when so rapidly got, and improperly acquired : I will also grant, that great stores of gold and silver, of jewels, diamonds, and precious stones, may be brought home ; and yet the treasures of the universe may, if you please, be made to circulate within the limits of our own little country : and if this were not enough, I would still grant more, did I really know what could be wished for or expected more.

The *soldier of fortune*, being made thus *rich*, sits down
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to enjoy the fruits of his conquest, and to gratify his wishes after so much fatigue and toil: but, alas! he presently finds, that *in proportion* as this heroical spirit and thirst for glory have diffused themselves among his countrymen, in the same proportion as the spirit of industry *bath sunk and died away*; every necessary and every comfort and elegance of life are grown dearer than before, because there are fewer hands and less inclination to produce them; at the same time his own desires, and artificial wants, instead of being lessened, are greatly multiplied; for of what use are riches to him, unless enjoyed?—Thus, therefore, it comes to pass, that his heaps of treasure are like the snow in summer, continually melting away; so that the land of heroes soon becomes the country of beggars.—His riches, it is true, rushed in upon him like a flood: but, as he had no means of retaining them, every article he wanted or wished for, drained away his stores like the holes in a sieve, till the bottom became quite dry: in short, in this situation the sums, which are daily and hourly issuing out, are not to be replaced but by a new war, and a new series of victories; and these new wars and new victories do all enhance the former evils; so that the relative poverty of the inhabitants of this warlike country becomes so much the greater, in proportion to

their success, in the very means mistakenly proposed for enriching them.

A few, indeed, incited by the strong instinct of an avaricious temper, may gather and scrape up what the many are squandering away; and so the impoverishment of the community may become the enrichment of the individual.—But it is utterly impossible, that the great majority of any country can grow wealthy by that course of life, which renders them both very extravagant, and very idle.

To illustrate this train of reasoning, let us have recourse to FACTS: but let the facts be such as my opponents in this argument would wish, of all others, to have produced on this occasion: and as the example of the ROMANS is eternally quoted, from the pamphleteer in the garret, to the patriot in the senate, as extremely worthy of the imitation of BRITONS; let their example decide the dispute.—“ The brave Romans! That glo-
“ rious! that god-like people! The conquerors of the
“ world! who made the most haughty nations to sub-
“ mit! who put the wealthiest under tribute, and
“ brought all the riches of the universe to center in the
“ imperial city of Rome!”

Now *this people*, at the beginning of their state, had a territory not so large as one of our middling counties, and

and neither healthy nor fertile in its nature ; yet, by means of frugality and industry, they not only procured a comfortable subsistence, but also were enabled to carry on their petty wars without burden to the state, or pay to the troops ; each husbandman or little freeholder serving *gratis*, and providing his own clothes and arms during the short time that was necessary for him to be absent from his cottage and family on such expeditions.

But when their neighbours were all subdued, and *the feet of war* removed to more *distant countries*, it became impossible for them to draw their subsistence from their own farms ; or, in other words, to serve *gratis any longer* ; and therefore they were under a necessity to accept of *pay*.—Moreover, as they could seldom visit their little estates, these farms were unavoidably neglected, and consequently were soon disposed of to engrossing purchasers : and *thus it came to pass that the lands about Rome were monopolized into a few bands by dint of their very conquests and successes* : and thus also the spirit of industry began to decline, in proportion as *the military genius* gained the ascendant.—A proof of this we have in LIVY, even so far back as the time of their last king *Tarquinus Superbus* : for one of the complaints brought against that prince

prince was couched in the following terms, that having employed his soldiers in making drains and common sewers, “ *they thought it an high disgrace to warriors to be treated as mechanics, and that the conquerors of the neighbouring nations should be degraded into stone-cutters and masons,*” though these works are not the monuments of unmeaning folly, or the works of ostentation, but evidently calculated for the health of the citizens, and the convenience of the public.—*Had he led forth these indignant heroes to the extirpation of some neighbouring state, they would not have considered that as a dishonour to their character.*

But to proceed: the genius of ROME being formed for war, the Romans pushed their conquests over nations still more remote: but alas! the *Quirites*, the body of the people, were so far from reaping any advantage from these new triumphs, that they generally found themselves to be poorer at the end of their most glorious wars than before they began them.—At the close of each successful war it was customary to divide a part of the lands of the vanquished among the veteran soldiers, and to grant them a dismission in order to cultivate their new acquisitions.—But such estates being *far distant from the city*, became in fact so much the less valuable; and the

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new proprietor had less inclination than ever to forsake the capital, and to banish himself to these distant provinces.—(For here let it be noted, that Rome was become, by this time, the theatre of pleasure, as well as the seat of empire, where all who wished to act a part on the stage of ambition, popularity, or politics; all who wanted to be engaged in scenes of debauchery, or intrigues of state; all, in short, who had any thing to spend, or any thing to expect, made Rome their rendezvous, and resorted thither as to a common mart).—This being the case, it is not at all surprising, that these late acquisitions were deserted and sold for a very trifl; nor is it any wonder, that the mass of the Roman people should be so immersed in debt, as we find by their own historians they continually were, when we reflect, that their military life indisposed them for agriculture or manufactures, and that their notions of conquest and of glory rendered them extravagant, prodigal, and vain.

However, in this manner they went on, continuing to extend their victories and their triumphs; and after the triumph, subsisting for a while by the sale of the lands above mentioned, or by their shares in the division of the booty: but when these were spent, as they quickly were, then they

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sunk into a more wretched state of poverty than before, eagerly wishing for a new war as the only means of repairing their desperate fortunes, and clamouring against every person that would dare to appear as an advocate for peace: and thus they increased their sufferings instead of removing them.

At last they subdued the world, as far as it was known at that time, or thought worth subduing, and then both the tribute and the plunder of the universe were imported into *Rome*; then, therefore, the bulk of the inhabitants of that city must have been exceedingly wealthy, had wealth consisted in heaps of gold and silver; and then likewise, if ever, the blessings of victory must have been felt, had it been capable of producing any.—*But alas!* whatever riches a few grandees, the leaders of armies, the governors of provinces, the minions of the populace, or the harpies of oppression, might have amassed together, the great majority of the people were poor and miserable beyond expression: and while the vain wretches were strutting with pride, and elated with insolence, as the masters of the world, they had no other means of subsisting, when peace was made and their prize-money spent, than to receive a kind of alms in corn from the public granaries, or to carry about their bread-baskets, and beg from door to

—Moreover, such among them as had chanced to a piece of land left unmortgaged, or something valuable to pledge, found, to their sorrow, that the interest of money (being hardly ever less than twelve *per cent.* and frequently more) would soon eat up their little inheritance, and reduce them to an equality with the rest of their illustrious brother beggars.—*Now, so extremely was the credit of these masters of the world, that they trusted with the payment of their interest no longer than month to month;*—than which there cannot be a more striking proof, both of the abject poverty, and of the cheat-spirits of these heroic citizens of imperial Rome.—this being the UNDOUBTED FACT, every humane & benevolent man, far from considering these people subjects worthy of imitation, will look upon them with abhorrence and indignation; and every wise state, acting the good of the whole, will take warning by this fatal example, and stifle, as much as possible, the beginning of such a *Roman spirit* in its subjects.

THE case of the *ancient Romans* having thus been considered at large, less may be requisite as to what is to be done.—AND THEREFORE SUFFICE IT TO OBSERVE, FOR THE WARS OF EUROPE FOR THESE TWO HUNDRED YEARS LAST PAST, BY THE CONFESSION

OF ALL PARTIES, HAVE REALLY ENDED IN THE ADVANTAGE OF NONE, BUT TO THE MANIFEST DETRIMENT OF ALL.—SUFFICE IT FARTHER TO REMARK, THAT HAD EACH OF THE CONTENDING POWERS EMPLOYED THEIR SUBJECTS IN CULTIVATING AND IMPROVING SUCH LANDS AS WERE CLEAR OF ALL DISPUTED TITLES, INSTEAD OF AIMING AT MORE EXTENDED POSSESSIONS, THEY HAD CONSULDED BOTH THEIR OWN AND THEIR PEOPLE'S GREATNESS MUCH MORE EFFICACIOUSLY, THAN BY ALL THE VICTORIES OF A CÆSAR OR AN ALEXANDER.

Upon the whole, therefore, it is evident to a demonstration, that nothing can result from such systems as these, however specious and plausible in appearance, but *disappointment, want, and beggary*.—*For the great laws of PROVIDENCE, and the course of nature, are not to be reversed or counteracted by the feeble efforts of wayward man, nor will the rules of sound politics ever bear a separation from those of true and genuine morality*—Not to mention, that the *victors themselves* will experience it to their costs, sooner or later, that in *vanquishing others* they are only preparing a more magnificent tomb for the interment of their *liberty*.

In very deed the *good providence of God* hath, as it
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were, taken *peculiar pains* to preclude mankind from having *any plausible pretence* for pursuing either *this* or *any other scheme of depopulation*.—And the traces of such preventing endeavours, if I may so speak, are perfectly legible both in the natural, and in the moral worlds.

In the natural world, our bountiful CREATOR hath formed different SOILS, and appointed different CLIMATES, whereby the inhabitants of different countries may supply each other with their respective fruits and products, so that by exciting a reciprocal industry, they may carry on an intercourse mutually beneficial, and universally benevolent.

Nay more, even where there is no remarkable difference of soil or of climates, we find a great difference of **TALENTS**; and, if I may be allowed the expression, a wonderful variety of strata in the human mind.—Thus, for example, the alteration of latitude between *Norwich* and *Manchester*, and the variation of soil, are not worth naming; moreover, the materials made use of in both places, *wool, flax, and silk*, are just the same; yet *so different* are the productions of their respective looms, that countries which are thousands of miles apart could hardly exhibit a greater contrast.—Now had *Norwich* and *Manchester* been the capitals of two neighbouring kingdoms, instead of *love and union*, we should have

heard of nothing but *jealousies* and *wars*; each would have prognosticated, that the flourishing state of the one portended the downfall of the other; each would have had their respective complaints, uttered in the most doleful accents, concerning their own loss of trade, and of the formidable progress of their rivals; and, if the respective governments were in any degree popular, each would have had a set of *patriots* and *orators* closing their inflammatory harangues with a **DELEND A EST CARTAGO.**—“We must destroy our rivals, our competitors and commercial enemies, or be destroyed by them; for our interests are opposite, and can never coincide.”—And yet, notwithstanding all these *canting phrases*, it is as clear as the meridian sun, that in case these cities had belonged to different kingdoms (*France* and *England* for example) there would then have been no more need for either of them to have gone to war than there is at present.

‘*In short, if mankind would but open their eyes, they might plainly see, that there is no one argument for inducing different nations to fight for the sake of trade, but which would equally oblige every country, town, village, nay, and every shop among ourselves, to be engaged in civil and intestine wars for the same end: nor, on the contrary, is there any motive*

motive of interest or advantage that can be urged for restraining the parts of the same government from these unnatural and foolish contests, but which would conclude equally strong against separate and independent nations making war with each other on the like pretext.

Moreover, the instinct of curiosity, and the thirst of novelty, which are so universally implanted in human nature, whereby various nations and different people so ardently wish to be customers to each other, is another proof that the curious manufactures of one nation will never want a vent among the richer inhabitants of another, provided they are reasonably cheap and good; so that the richer one nation is, the more it has to spare, and the more it will certainly lay out on the produce and manufactures of its ingenious neighbour.—Do you object to this? Do you envy the wealth, or repine at the prosperity, of the nations around you?—If you do, consider what is the consequence, viz. that you wish to keep a shop, but hope to have only BEGGARS for your customers.

As to the moral and political world, PROVIDENCE has so ordained, that every nation may increase in frugality and industry, and consequently in riches, if they please; because it has given a power to every nation to make good laws, and wise regulations, for their internal

government:

government: and none can justly blame them on this account.—Should, for example, the POLES, or the TARTARS, grow weary of their present wretched systems, and resolve upon a better constitution; should they prefer employment to sloth, liberty to slavery, and trade and manufactures to theft and robbery; should they give all possible freedom and encouragement to industrious artificers, and lay heavy discouragements on idleness and vice, by means of judicious taxes; and lastly, should they root out all notions of beggarly pride, and of the glory of making marauding incursions;—what a mighty, what a happy change would soon appear in the face of those countries!—And what could then be said to be wanting in order to render such nations truly *rich* and *great*?

Perhaps some neighbouring state (entertaining a foolish jealousy) would take the alarm, that their trade was in danger.—But if they attempted to invade such a kingdom, they would find, to their cost, that an industrious state, abounding with people and with riches, having its magazines well stored, its frontier towns well fortified, the garrisons duly paid, and the whole country full of villages and enclosures; I say, they would feel to their cost, that such a state is the strongest of all others, and

the most difficult to be subdued: not to mention that other potentates would naturally rise up for its defence and preservation; because, indeed, it would be for their interest that such a state as this should not be swallowed up by another, and because they themselves might have *many things to hope from it, and nothing to fear.*

But is this spell, this witchcraft of the jealousy of trade never to be dissolved? And are there no hopes that mankind will recover their senses as to these things?—For of all absurdities, that of going to war for the sake of getting trade is the most absurd; and nothing in nature can be so extravagantly foolish.

Perhaps you cannot digest this; you do not believe it.—Be it so.—Grant, therefore, that you subdue your rival by force of arms: will that circumstance render your goods *cheaper* at market than they were before?—And if it will not, nay if it tends to render them much dearer, what have you got by such a victory?—I ask further, what will be the conduct of foreign nations, when your goods are brought to their markets?—They will not inquire, whether you were victorious or not; but only, whether you will sell *cheaper*, or at least as *cheap* as others?—Try and see, whether any persons, or any nations, ever yet proceeded upon any other plan;

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and if they never did, and never can be supposed to do so, then it is evident to a demonstration, that trade will always follow *cheapness*, and not *conquest*.—Nay, consider how it is with yourselves at home: do *heroes* and *bruisers* get *more customers* to their shops, *because* they are *heroes* and *bruisers*; or would not you yourself rather deal with a *feeble person*, who will *use you well*, than with a *bruiser hero*, should he *demand a higher price*?

Now all these facts are so very *notorious*, that none can dispute the truth of them.—And throughout the histories of all countries, and of all ages, there is not a single example to the contrary.

JUDGES, THEREFORE, FROM WHAT HAS BEEN SAID, WHETHER ANY ONE ADVANTAGE CAN BE OBTAINED TO SOCIETY, EVEN BY THE MOST SUCCESSFUL WARS, THAT MAY NOT BE INCOMPARABLY GREATER, AND MORE EASILY PROCURED, BY THE ARTS OF PEACE.

As to those who are always clamouring for war, and sounding the alarm to battle, let us consider who they are, and what are their motives; and then it will be no difficult matter to determine concerning the deference that ought

ought to be paid to their *opinions*, and the merit of their *atriotic zeal*.

1. The first on the list here in *Britain* (for different countries have different sorts of firebrands), I say the first here in Britain is the *mock patriot* and *furious anti-courtier* — He always begins with schemes of œconomy, and a zealous promoter of national frugality.—He loudly declaims against even a small, annual, parliamentary army, both on account of its expence, and its danger; and pretends to be struck with a panic at every red coat that he sees.—By persevering in these laudable endeavours, and by sowing the seeds of jealousy and distrust among the ignorant and unwary, he prevents such a number of forces, by sea and land, from being kept up, as are prudently necessary for the common safety of the kingdom: this is one step gained.—In the next place, after having thrown out such a tempting bait for foreigners to catch at, on any trifling account he is all on fire; his breast beats high with the love of his country, and his soul breathes vengeance against the foes of Britain: every popular topic, and every inflammatory harangue is immediately put into rehearsal; and, O liberty! O my country! is the continual theme.—The fire then preads; the souls of the noble Britons are enkindled at

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first starts the game ; he explores the reigning humour and whim of *the populace*, and by frequent trials discovers the part where the ministry are most vulnerable.— But, above all, he never fails to put the mob in the mind, of what indeed they believed before, *that politics is a subject which every one understands....EXCEPT—the ministry*, and that nothing is so easy as to bring the king of France to sue for peace on his knees at the bar of a British house of commons, were—such—and such—at the helm, as honest and uncorrupt as they ought to be. This is delightful ; and this, with the old stories of Agincourt and Cressy, regales, nay intoxicates the mob, and inspires them with an enthusiasm bordering upon madness.— The same ideas return ; the former battles are fought over again ; and we have already taken possession of the gates of Paris in the warmth of a frantic imagination ; though it is certain that even were this circumstance ever to happen, we ourselves should be the greatest losers ; for the conquest of France by England, in the event of things, would come to the same point as the conquest of England by France ; because the seat of empire would be transferred to the greater kingdom, and the lesser would be made a province to it.

3. Near akin to this man, is that other monster of modern times, who is perpetually declaiming against a peace,

peace, viz. the broker, and the gambler of Change-alley. Letters from the Hague, wrote in a garret at home for half a guinea ;.... the first news of a battle fought (it matters not how improbable) with a list of the slain and prisoners, their cannon, colours, &c..... great firings heard at sea between squadrons not yet out of port ;.... a town taken before the enemy was near it ;.... an intercepted letter that never was wrote ;.... a forged gazette ;.... or, in short, any thing else that will elate or depress the minds of the undiscerning multitude, serves the purpose of the bear or the bull, to sink or raise the price of stocks, according as he wishes either to buy or sell, and by these vile means the wretch, who perhaps the other day came up to London in the waggon to be an under clerk or message boy in a warehouse, acquires such a fortune as sets him on a par with the greatest nobles of the land.

4. The *news writers* are a fourth species of political firebrand: a species which abound in this country more than in any other; for as men are in this kingdom allowed greater liberty to say, or write, what they please; so likewise is the abuse of that blessing carried to a higher pitch.—In fact these people may be truly said to *trade in blood*: for a war is their harvest; and a bloody battle produces

produces a crop of an hundred fold: how then can it be supposed that they can ever become the friends of peace? — And how can you expect that any ministers can be their favourites, but the ministers of death? — Yet these are the men who may be truly said to govern the minds of the good people of England, and to turn their affections whithersoever they please; who can render any scheme unpopular which they dislike, and whose approbation or frown are regarded by thousands, and almost by millions, as the standard of right and wrong, of truth or falsehood; for it is a fact, an indisputable fact, that this country is as much news-mad and news-ridden now, as ever it was popery-mad or priest-ridden in the days of our forefathers.

5. The jobbers and contractors of all kinds and of all degrees for our fleets and armies:—the clerks and pay-masters in the several departments belonging to war:.... and every other agent, who has the fingering of the *public money*, may be said to constitute a distinct brood of *vultures*, who prey upon their *own species*, and fatten upon *human gore*.—It would be endless to recount the various arts and stratagems by which this tribe of devourers have amassed to themselves astonishing riches from very slender beginnings, through the continuance and extent of the

war;

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war; consequently, as long as any prospect could remain of squeezing somewhat more out of the pockets of an *exhausted*, but *infatuated* people; so long the *war-hoop* would be the cry of these inhuman savages; and so long would they start and invent objections to every proposition that could be made for the restoring peace.....because government bills would yet bear some price in the alley, and omnium and scrip would still sell at market.

6. *Many of the dealers in exports and imports, and several of the traders in the colonies, are too often found to be assistants in promoting the cry for every new war: and when war is undertaken, in preventing any overtures towards a peace.—You do not fathom the depth of this policy; you are not capable to comprehend it.—Alas! it is but too easily explained; and, when explained, but too well proved from experience.—The general interest of trade, and the interest of particular traders, are very distinct things; nay, are very often quite opposite to each other.—The interest of general trade arises from general industry; and therefore can only be promoted by the arts of peace: but the misfortune is, that during a peace the prices of goods seldom fluctuate, and there are few or no opportunities of getting suddenly rich.—A war,*

war, on the contrary, unsettles all things, and opens a wide field for *speculations*; therefore a lucky hit, or the engrossing a commodity, when there is but little at market....A rich capture....or a smuggling, I should rather say, a traitorous, intercourse with the enemy, sometimes by bribes to governors and officers, and sometimes through other channels:—or, perhaps, the hopes of coming in for a *share in a lucrative job*, or a *public contract*; these, and many such like notable expedients, are cherished by the warmth of war, like plants in a hot-bed; but they are chilled by the cold languid circulation of peaceful industry.

This being the case, the warlike zeal of these men, and their declamations against all reconciliatory measures, are but too easily accounted for; and while the *dulcis amor lucri* is the governing principle of trade, what other conduct are you to expect?

But what if the men of *landed property*, and the numerous band of *English artificers* and *manufacturers*, who constitute, beyond all doubt, the great body of the kingdom, and whose real interest must be on the side of peace; what if *they* should not be as military in their disposition as these gentlemen would wish they were?—Why then all arts must be used, and indefatigable pains

be

be taken to persuade them, that *this particular war* is calculated for their benefit; and that the conquest of such or such a place would infallibly redound both to the advantage of the landed interests, and the improvement and extension of manufactures.—“Should (for example) the English once become masters of CANADA, the importation of skins and beavers, and the manufacture of fine hats, would extend prodigiously; every man might afford to wear a beaver hat if he pleased, and every woman be decorated in the richest furs; in return for which our coarse woollens would find such a vent throughout our immense northern regions, as would make ample satisfaction for all our expences.” Well, *Canada* is taken, and is now all our own; but what is the consequence, after a trial of some years possession, let those declare who can, and as they were before so lavish in their promises, let them at last prove their assertions, by appealing to fact and experience.—Alas! they cannot do it: nay, so far from it, that beaver, and furs, and hats, are *dearer than ever*: and all the woollens, which have been consumed in those countries by the *native inhabitants*, do hardly amount to a greater quantity than those very soldiers and sailors would have

worn and consumed, who were lost in the taking, defending, and garrisoning of those countries.

“ However, if Canada did not answer our sanguine expectations, sure we were, that the sugar countries would make amends for all: and, therefore, if the important islands of **GAUDALOUPE** and **MARTINICO** were to be subdued, then sugars, and coffee, and chocolate, and indigo, and cotton, &c. &c. would become as cheap as we could wish; and both the country gentleman and the manufacturer would find their account in such conquests as these.” Well, *Gaudaloupe* and *Martinico* are both taken, and many other islands besides are added to our empire, whose produce is the very same with theirs.—*Let, what elegance of life, or what ingredient for manufacture, is thereby become the cheaper? and which of all these things can be purchased at a lower rate at present than before the war?*—Not one can be named.—On the contrary, the man of landed property can tell but too circumstantially, that *taxes* are risen higher than ever—that the interest of money is greater—that every additional load of national debt is a new mortgage on his exhausted and impoverished estate—and that, if he happens to be a member of parliament, he runs the risk of being

being bought out of his family borough, by some upstart gambler, jobber, or contractor.

The *English manufacturer* likewise both sees and feels, that *every foreign material*, of use in his trade, is grown *much dearer*,—that all hands are become extremely *scarce*, their *wages* prodigiously raised,—the goods, of course, badly and scandalously manufactured,—and yet *cannot* be afforded at the *same price as heretofore*—that, therefore, the sale of English manufactures has greatly decreased in foreign countries since the commencement of war;—and, what is worse than all, that industry at home is diminished—All these things, I say, the *English manufacturer* both *sees* and *feels*: and **IS NOT THIS ENOUGH?**

7. The *land and sea officers* are, of course, the invariable advocates for war.—Indeed it is their trade, their bread, and the sure way to get promotion; therefore no other language can be expected from them: and yet, to do them justice, of all the adversaries of peace, they are the fairest and most open in their proceedings; they use no art of colouring, and you know their motive, you must allow for it accordingly.

But after all, what have I been doing? and how can

I hope for proselytes by this kind of writing—It is true, in regard to the points attempted to be proved, I have certainly proved them.—“ **NEITHER PRINCES**
“ **NOR PEOPLE CAN BE GAINERS BY THE MOST SU-**
“ **CESSFUL WARS:—TRADE, IN PARTICULAR, WILL**
“ **MAKE ITS WAY TO THE COUNTRY WHERE GOODS**
“ **ARE MANUFACTURED THE BEST AND CHEAPEST:**
“ **—BUT CONQUERING NATIONS NEITHER MANU-**
“ **FACTURE WELL NOR CHEAP:—AND CONSEQUENT-**
“ **LY MUST SINK IN TRADE IN PROPORTION AS THEY**
“ **EXTEND IN CONQUEST.”**—These things are now incontestibly clear, if any thing ever was so.—But, alas! who will thank me for such lessons as these? The *seven classes* of men just enumerated certainly will not; and as to the *mob*, the blood-thirsty mob, no arguments, and no demonstrations whatever, can persuade them to withdraw their veneration from their grim idol, the god of slaughter.—On the contrary, to knock a man on the head, is to take from him his all at once.—This is a compendious way, and this they understand.—*But to excite that man (whom perhaps they have long called their enemy) to greater industry and sobriety, to consider him as a customer to them, and themselves as customers*

*customers to him, so that the richer both are, the better it may be for each other ; and, in short, to promote a mutual trade to mutual benefit : this is a kind of reasoning, as unintelligible to their comprehensions as the antipodes themselves *.*

SOME FEW, PERHAPS A VERY FEW INDEED, MAY BE STRUCK WITH THE FORCE OF THESE TRUTHS, AND YIELD THEIR MINDS TO CONVICTION.—POSSIBLY IN A LONG COURSE OF TIME THEIR NUMBERS MAY INCREASE—AND POSSIBLY, AT LAST, THE TIDE MAY TURN ; SO THAT OUR POSTERITY MAY REGARD THE PRESENT MADNESS OF GOING TO WAR FOR THE SAKE OF TRADE, RICHES, OR DOMINION, WITH THE SAME EYE OF ASTONISHMENT AND PIY, THAT WE DO THE MADNESS OF OUR FOREFATHERS IN FIGHTING UNDER THE BANNER OF THE PEACEFUL CROSS.

* *Dean Tucker.*

SECT.

S E C T. VII.

ON TAXES.

BEFORE I enter upon the examination of the effects of some particular taxes, it may be necessary to premise the four following maxims with regard to taxes in general.

1. *The subjects of every state ought to contribute towards the support of the government, as nearly as possible, in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the state.*—The expence of government to the individuals of a great nation, is like the expence of management to the joint tenants of a great estate, who are all obliged to contribute in proportion to their respective interests in the estate.—In the observation or neglect of this maxim consists, what is called the EQUALITY OR INEQUALITY of taxation.

2. *The tax which each individual is bound to pay ought*

to be certain — The time of payment, the manner of payment, the quantity to be paid, ought all to be clear and plain to the contributor, and to every other person.— Where it is otherwise, every person subject to the tax is put more or less in the power of the tax gatherer, who can either aggravate the tax upon any obnoxious contributor, or extort, by the terror of such aggravation, some present or perquisite to himself.— The uncertainty of taxation encourages the insolence and favours the corruption of an order of men who are naturally unpopular, even where they are neither insolent nor corrupt.— The certainty of what each individual ought to pay is, in taxation, a matter of so great importance, that a very considerable degree of *inequality*, it appears, I believe, from the experience of all nations, is not near so great an evil as a very small degree of *uncertainty*.

3. *Every tax ought to be levied at the time, or in the manner, in which it is most likely to be convenient for the contributor to pay it.*— A tax upon the rent of land or of houses, payable at the same term at which such rents are usually paid, is levied at the time when it is most likely to have wherewithal to pay.— Taxes upon such consumable goods as are articles of luxury, are all *finally* paid by the

the consumer*, and generally in a manner that is very convenient for him.—He pays them by little and little, as he has occasion to buy the goods.—As he is at liberty to buy, or not to buy, as he pleases, it must be his own fault if he ever suffers any considerable inconvenience from such taxes.

4. *Every tax ought to be so contrived as both to take*

* It is an opinion, zealously promoted by some political writers, that since all taxes, as they pretend, fall *mainly* upon land, it were better to lay them *entirely* there, and abolish every duty upon consumption. Be we *surely*, that all taxes fall ultimately upon land. If a duty be laid upon any *commodity* consumed by an artisan, he has two obvious expedients for paying it; he may retrench somewhat of his expence, or he may increase his labour. Both these resources are *more easy and natural*, than *that of heightening his wage*. We see that, in years of *scarcity*, the weaver either *consumes less* or *labor more*, or employs both these expedients of frugality and industry, by which he is enabled to reach the end of the year. *By what contrivance can he raise the price of his labor?* The manufacturer who employs him will not give him more; neither can he, because the merchant, who exports the cloth, cannot raise its price, being limited by the price which it yields in foreign markets. Every man, to be sure, is desirous of pushing off from himself the burden of any tax which is imposed, and of laying it upon others: but as every man has the same inclination, and is upon the *defensive*, no set of men can be supposed to prevail altogether in this contest. And why the landed gentleman should be the victim of the whole, and should not be able to defend himself, as well as others are, I cannot readily imagine. All tradesmen, indeed, would willingly prey upon him, and divide him among them, if they could: but this inclination they always have, though no taxes were levied; and the same methods, by which he guards against the imposition of tradesmen before taxes, will serve him afterwards, and make them share the burden with him.—HUME.

and

and to keep out of the pockets of the people as little as possible, never and above what it brings into the public treasury of the State.—A tax may either take out or keep out of the pockets of the people a great deal more than it brings into the public treasury, in the four following ways.—FIRST, the levying of it may require a great number of officers, whose salaries may eat up the greater part of the produce of the tax, and whose perquisites may impose another additional tax upon the people.—SECONDLY, it may obstruct the industry of the people, and discourage them from applying to certain branches of business which might give maintenance and employment to great multitudes.—While it obliges the people to pay, it may thus diminish, or perhaps destroy, some of the funds which might enable them more easily to do so.—THIRDLY, by the forfeitures and other penalties which those unfortunate individuals incur who attempt unsuccessfully to evade the tax, it may frequently ruin them, and thereby put an end to the benefit which the community might have received from the employment of their capitals.—An injudicious tax offers a great temptation to smuggling.—But the penalties of smuggling must rise in proportion to the temptation.—The law, contrary to all the ordinary principles of justice, first creates

the temptation, and then punishes those who yield to it; and it commonly enhances the punishment too in proportion to the very circumstance which ought certainly to alleviate it, the temptation to commit the crime*.—FOURTHLY, by subjecting the people to the frequent visits and the odious examination of the tax-gatherers, it may expose them to much unnecessary trouble, vexation, and oppression; and though vexation is not, strictly speaking, expence, it is certainly equivalent to the expence at which every man would be willing to redeem himself from it.

IT IS IN SOME ONE OR OTHER OF THESE FOUR DIFFERENT WAYS THAT TAXES ARE FREQUENTLY SO MUCH MORE BURDENOME TO THE PEOPLE THAN THEY ARE BENEFICIAL TO THE SOVEREIGN.

The best taxes are such as are levied upon *consumptions*, especially those of *luxury*; because such taxes are least felt by the people.—They seem, in some measure, voluntary; since a man may choose how far he will use the commodity which is taxed: they are paid gradually and insensibly: they naturally produce sobriety and frugality, if judiciously imposed: and being confounded

* See Sketches of the History of Man, page 474, & seq.

with

with the natural price of the commodity, they are scarcely perceived by the consumers.—Their only disadvantage is, that they are expensive in the levying.—Another thing is, a duty upon commodities checks itself; and a minister will soon find, that an increase of the impost is no increase of the revenue. It is not easy, therefore, for a people to be altogether ruined by such taxes.

Taxes upon *possessions* are levied without expence; but have every other disadvantage.—Most states, however, are obliged to have recourse to them, in order to supply the deficiencies of the other.

As *taxes* take nothing out of a country; as they do not diminish the public stock, only vary the distribution of it, they are not *necessarily* prejudicial to happiness.—If the state exact money from certain members of the community, she dispenses it also amongst other members of the same community.—They who contribute to the revenue, and they who are supported or benefited by the expences of government, are to be placed one against the other; and, whilst what the subsistence of one part is profited by receiving, compensates for what that of the other suffers by paying, the common fund of the society is not lessened.—This is true: but it must

be observed, that although the sum distributed by the state be always **EQUAL** to the sum collected from the people, yet the gain and losses to the means of subsistence may be very **UNEQUAL**; and *the balance will remain on the wrong or the right side of the account, according as the money passes by taxation from the industrious to the idle, from the many to the few, from those who want to those who abound, or in a contrary direction.*

For instance, a tax upon *coaches*, to be laid out in the repair of *roads*, would probably *improve* the happiness of a neighbourhood; a tax upon *cottages*, to be ultimately expended in the purchase and support of *coaches*, would certainly *diminish* it.

In like manner, a tax upon *wine* or *tea*, distributed in bounties to *fishermen* or *husbandmen*, would *augment* the provision of a country; a tax upon *fisheries* and *husbandry*, however indirect or concealed, to be converted, when raised, to the procuring of *wine* or *tea* for the idle and opulent, would naturally *impair* the public stock.

The **EFFECT**, therefore, of *taxes* upon the means of subsistence depends not so much upon the amount of the sum levied, as upon the *object* of the tax, and *the application*.

Taxes

Taxes likewise may be so adjusted as to conduce to the restraint of luxury, and the correction of vice; to the encouragement*

* When the expediency of laying a further tax on distillation of spirituous liquors was canvassed before the House of Commons some years ago, it was said of the distillers with great truth, "They take the bread from the people, and convert it into poison." Yet is this manufacture of disease permitted to continue, as appears by its paying into the treasury above 900,000l. near a million of money annually.

It is generally allowed, "that government is for the benefit of the governed and not the governors," and no deviation should exist to this fundamental principle. *Get money*, was the advice of a father to his son,—honestly if you can,—if not,—*Get money*. It is also a question, How far the king's patent to quack remedies is expedient, as it discourages an useful body of men, favours imposition, begets incredulity, and is the destruction of the lives and the health of thousands. *Get money* can never be an excuse in a free government, where *happiness in the subject* is its avowed principle.

MONOPOLIES and CHARTERS.—James the First granted many of these, and his son followed his example. Between them both almost every trade was confined in a few hands; but these *monopolists* paid heavy sums for becoming the *elder children of a partial father*. *Monopolies* had crept in during the reign of Queen ELIZABETH; but that great queen, finding that the House of Commons was uneasy, called in most of these grants. The House of Commons, struck with this generosity of the queen, in meeting their desires, and anticipating their requeits, deputed one hundred and forty of their members to wait upon her with their thanks. To their address the queen returned an answer, which, as flowing from her heart, made the deepest impression on her subjects.—I shall subjoin a part:

"GENTLEMEN,

"I owe you hearty thanks and commendations, for your singular good will towards me, not only in your heart and thoughts, but which you have openly expressed and declared, whereby you have recalled me from an error proceeding from my *ignorance*, not my *will*. These things had undeservedly turned

'encouragement of *industry, trade, agriculture, and marriage.*

—Taxes thus contrived become *rewards and penalties*; not only **SOURCES OF REVENUE**, but **INSTRUMENTS OF POLICE**.—Vices indeed themselves cannot be taxed without holding forth such a conditional toleration of them as to destroy men's perception of their guilt: a tax comes in time to be considered as a *commutation*: the materials, however, and incentives of vice may.—Although, for instance, drunkenness would be, on this account, an *unfit object of taxation*, yet public-houses and spirituous liquors are very properly subject to heavy imposts.

Nevertheless, although it may be true, that taxes cannot be pronounced to be detrimental to happiness, by any absolute necessity in their nature; and though, un-

turned to my disgrace (to whom nothing is more dear than the safety and love of my people), had not such harpies and horse-leeches as these been discovered to me by you. I HAD RATHER MY HEART OR HAND SHOULD PERISH, THAN THAT EITHER MY HEART OR HAND SHOULD ALLOW SUCH PRIVILEGES TO MONOPOLISTS, AS MAY BE PREJUDICIAL TO THE BODY OF MY PEOPLE. The splendour of regal majesty hath not so blinded mine eyes, that LICENTIOUS POWER should prevail with me more than JUSTICE. I know that the commonwealth is to be governed for the good and advantage of THOSE that are committed to me, not of MYSELF, to whom it is intrusted; and that an account is one day to be given before another judgment seat. I think myself most happy, that, by God's assistance, I have hitherto so prosperously governed the commonwealth in all respects; and that I have justly &c. &c.

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der some modifications, and when urged only to a certain extent, they may even operate in favour of it; yet it will be found, in a great plurality of instances, that their tendency is noxious.—Let it be supposed that nine families inhabit a neighbourhood, each possessing barely the means of subsistence, or of that mode of subsistence which custom hath established amongst them; let a tenth family be quartered upon these, to be supported by a tax raised from the nine; or rather let one of the nine have his income augmented by a similar deduction from the incomes of the rest: in either of these cases, it is evident that the whole district would be broken up.—For as the entire income of each is supposed to be barely sufficient for the establishment which it maintains, a deduction of any part destroys that establishment.—Now it is no answer to this objection, it is no apology for the grievance, to say, “that nothing is taken out of the neighbourhood; that the stock is not diminished.”—The mischief is done by deranging the distribution.—Nor, again, is the luxury of one family, or even the maintenance of an additional family, a recompense to the country for the ruin of nine others.—Nor, lastly, will it alter the effect, though it may conceal the cause, that the distribution, instead of being levied directly upon

each day's wages, is mixed up in the price of some article of constant use and consumption ; as in a tax upon candles, malt, leather, or fuel.

It seems necessary, however, to distinguish between the operation of a *new tax*, and the effect of taxes which have been long established.—In the course of circulation the money may flow back to the hands from which it was taken.—The proportion between the supply and the expence of subsistence, which had been disturbed by the tax, may at length recover itself again.—In the instance just now stated, the addition of a tenth family to the neighbourhood, or the enlarged expences of one of the nine, may, in some shape or other, so advance the profits, or increase the employment of the rest, as to make full restitution for the share of their property, of which it deprives them : or, what is more likely to happen, a reduction may take place in their mode of living, suited to the abridgment of their incomes.—*Let still the ultimate and permanent effect of taxation, though distinguishable from the impression of a new tax, be generally adverse to industry.*—The proportion above spoken of, can only be restored by one side or other of the following alternative ; by the people either **CONTRACTING THEIR WANTS,**
which

which at the same time diminishes consumption and employment ; or by RAISING THE PRICE OF LABOUR, which necessarily adding to the price of the productions and manufactures of the country, checks their sale at foreign markets.

A nation which is burthened with taxes, must always be *undersold* by a nation which is free from them, unless the difference be made up by some singular advantage of climate, soil, skill, or industry.—*This quality belongs to all taxes which affect the mass of the community, even when imposed upon the properlest objects, and applied to the fairest purposes.*—BUT ABUSES ARE INSEPARABLE FROM THE DISPOSAL OF PUBLIC MONEY.—AS GOVERNMENTS ARE USUALLY ADMINISTERED, THE PRODUCE OF PUBLIC TAXES IS EXPENDED UPON A TRAIN OF GENTRY, IN THE MAINTAINING OF POMP, OR IN THE PURCHASE OF INFLUENCE.—The conversion of property, which *taxes* effectuate, when they are employed in this manner, is attended with *obvious evils*.—IT TAKES FROM THE INDUSTRIOUS TO GIVE TO THE IDLE ; IT INCREASES THE NUMBER OF THE LATTER ; IT TENDS TO ACCUMULATION ; IT SACRIFICES THE CONVENIENCY OF MANY TO THE LUXURY OF A FEW ; IT MAKES NO RETURN TO THE PEOPLE, FROM WHOM

THE TAX IS DRAWN, THAT IS SATISFACTORY OR INTELLIGIBLE; IT ENCOURAGES NO ACTIVITY WHICH IS USEFUL OR PRODUCTIVE.

The sum to be raised being settled, a *wise statesman* will contrive his taxes principally with a view to their effect upon general happiness, that is, he will so adjust them, as to give the least possible obstruction to those means of subsistence by which the mass of the community are maintained.—We are accustomed to an opinion “*that a tax, to be just, ought to be accurately proportioned to the circumstances of the persons who pay it.*”—The point to be regarded, IS NOT WHAT MEN HAVE, BUT WHAT THEY CAN SPARE; and it is evident that a man who possesses a thousand pounds a year can more easily give up a hundred, than a man with a hundred pounds a year can part with ten; that is, *those habits of life* which are *reasonable* and *innocent*, and upon the ability to continue which the formation of families depends, will be much less affected by the one deduction than the other: it is still more evident, that a man of a hundred pounds a year would not be so much distressed in his subsistence by a demand from him of ten pounds, as a man of ten pounds a year would be by the loss of one: to which we must add, that

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the population of every country being replenished by the marriages of the *lowest ranks* of the society, *their accommodation and relief* becomes of *more importance* to the state, than the *conveniency* of any *higher* but *less numerous order* of its citizens.—But whatever be the proportion which public expediency directs, whether the simple, the duplicate, or any higher or intermediate proportion of men's incomes, it can never be attained by any single tax; as no single object of taxation can be found, which measures the ability of the subject with sufficient generality and exactness.—It is only by a system and variety of taxes mutually balancing and equalizing one another, that a due proportion can be preserved.—For instance, if a tax upon lands press with greater hardship upon those who live in the country, it may be properly counterpoised by a tax upon the rent of houses, which will affect principally the inhabitants of large towns.—Distinctions may also be framed in some taxes, which shall allow abatements or exemptions to married persons; to the parents of a certain number of legitimate children; to the education of youth; to improvers of the soil; to particular modes of cultivation, as to tillage in preference to pasture;

turage; and in general to that industry which is immediately *productive*, in preference to that which is only *instrumental*; but above all, which may leave the heaviest part of the burthen upon the methods, whatever they be, of acquiring wealth without industry, or even of subsisting in idleness*.

* PALEY.

SECT.

S E C T. VIII.

ON THE ADVANTAGES OF SOCIETY,

AND

THE DISTRIBUTION OF LABOUR.

Do you think, that without society you or any man could have been born?—Without society, when born, could you have been brought to maturity?—Had your parents then had no social affections towards you in that perilous state, that tedious infancy (so much longer than the longest of other animals), you must have inevitably perished through want and inability.—You perceive then that to society you and every man are indebted, not only for the beginning of being, but for the continuance.

Suppose then we pass from this birth and infancy of man, to his maturity and perfection.—Is there any age, think you, so self-sufficient as that in it he feels no wants?—In the first and principal place that of food; then perhaps that of raiment; and after this, a dwelling

or

or defence against the weather.—These wants are surely natural at all ages.—And is it not agreeable to nature that they should at all ages be supplied?—And is it not more agreeable to have them well supplied, than ill?—And most agreeable to have them best supplied?—If there be then any one state better than all others for the supplying these wants, this state of all others must needs be most natural.

And what supply of these wants shall we esteem the meanest which we can conceive?—Would it not be something like this? Nothing beyond acorns for food, beyond a rude skin for raiment, or beyond a cavern or hollow tree to provide us with a dwelling?—Indeed this would be bad enough.—And do you not imagine, as far as this, we might each supply ourselves, though we lived in woods, mere solitary savages?

Suppose then that our supplies were to be mended—for instance, that we were to exchange acorns for bread.—Would our *saving character* be sufficient here?—Must we not be a little better disciplined?—Would not some art be requisite?—The baker's, for example.—And previously to the baker's, that of the miller?—And previously to the miller's, that of the husbandman?—Three

ts then appear necessary, even upon the lowest estimation.

But a question farther—Can the husbandman work, ink you, without his tools?—Must he not have hisough, his harrow, his reap-hook, and the like?—And usf not those other artists too be furnished in the sameanner?—And whence must they be furnished? From leir own arts.—Or are not the making tools, and the sing them, two different occupations?—Does agricult ure make its own plough, its own harrow?—Or does it ot apply to other arts for all necessaries of this kind?—gain—Does the baker build his own oven, or the mil r frame his own mill?

What a tribe of mechanics then are advancing upon :?—Smiths, carpenters, masons, mill-wrights—and all ese to provide the singe necessary of bread.—Not less an seven or eight arts, we find, are wanting at the west.—And what if, to the providing a comfortable sttage, and raiment suitable to an industrious hind, we low a dozen arts more?—It would be easy, by the same isoning, to prove the number double.

If so it should seem, that towards a tolerable supply of : three primary and common necessaries, FOOD, RAI-

MENT,

MENT, and a DWELLING, not less than twenty arts were, on the lowest account, requisite.

And is one man equal, think you, to the exercise of these twenty arts?—If he had even genius, which we can scarce imagine, is it possible he should find leisure?—If so, then a solitary unsocial state can never supply tolerably the common necessities of life.

But what if we pass from the *necessaries* of life to the *elegancies*?—To music, sculpture, painting, and poetry?—What if we pass from all arts, whether necessary or elegant, to the large and various tribe of Sciences? To logic, mathematics, astronomy, physics?—Can one man, imagine you, master all this?—And yet in this cycle of sciences and arts seem included the comforts as well as ornaments of life.

What then must be done? In what manner must we be supplied?—I know not how, unless we make a distribution.—Let one exercise one art, and another a different—let this man study such a science, and that man another.—Thus the whole cycle may be carried easily into perfection.

Now we see a new face of things.—The *savages*, with their skins and their caverns, disappear.—In their place I behold a fair community rising.—No longer woods,

no longer solitude; but all is social, civil, and cultivated.—And can we doubt any farther whether society be natural?—Is not this evidently the state which can best supply the primary wants?—And did we not agree some time since, that this state, whatever we found it, would be certainly of all others the most agreeable to our nature?—We did.—And have we not added, since this, to the weight of our argument, by passing from the necessary arts to the elegant; from the elegant to the sciences? We have.—The more we consider, the more shall we be convinced, that all these, the noblest honours and ornaments of the human mind, without that leisure, that experience, that emulation, that reward, which the *social state* alone we know is able to provide them, could never have found existence, or been in the least recognized.

LET IT NOT BE FORGOTTEN THEN, IN FAVOUR OF SOCIETY, THAT TO IT WE OWE, NOT ONLY THE BEGINNING AND CONTINUATION, BUT THE WELL-BEING, AND (IF I MAY USE THE EXPRESSION) THE VERY ELEGANCE AND RATIONALITY OF OUR EXISTENCE.

And what then, if society be thus agreeable to our nature, is there nothing, think you, within us to ex-

cite and lead us to it? No impulse, no preparation of faculties?—It would be strange if there should not.—It would be a singular exception with respect to all other herding species.—Let us however examine—*pity, benevolence, friendship, love; the general dislike of solitude, and desire of company*; are they natural affections which come of themselves; or are they taught us by art, like music and arithmetic?—And are not the powers and capacities of speech the same? Are not all men naturally formed to express their sentiments by some kind of language?

If then these several powers and dispositions are natural, so should seem too their exercise.—And if their exercise, then so too that state where alone they can be exercised.—And what is this state but the social?—Or where else is it possible to converse, or use our speech; to exhibit actions of *pity, benevolence, friendship, or love*; to relieve our aversion to solitude, or gratify our desire of being with others?

You see then a preparation of faculties is not wanting. We are fitted with *powers* and *dispositions* which have only *relation* to society; and which, out of society, can no where else be exercised.—You have seen, too,

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the superior advantages of the social state above all others.

LET THIS THEN EVER BE REMEMBERED, REMEMBERED AS A FIRST PRINCIPLE IN OUR IDEAS OF HUMANITY, THAT MAN BY NATURE IS TRULY A SOCIAL ANIMAL*.

The effects of *the division of labour*, in the general business of society, will be more easily understood by considering in what manner it operates in some particular manufactures.—It is commonly supposed to be carried farthest in some very *trifling* ones; not perhaps that it really is carried further in them than in others of more *importance*: but in those trifling manufactures which are destined to supply the small wants of but a small number of people, the whole number of workmen must necessarily be small; and those employed in every different branch of the work can often be collected into the same workhouse, and placed at once under the view of the spectator.—In those *great manufactures*, on the contrary, which are destined to supply the great wants of the great body of the people, every different branch of the work employs so great a number of workmen,

* *Harris.*

that it is impossible to collect them all into the same workhouse.—We can seldom see more, at one time, than those employed in one single branch.—Though in such manufactures, therefore, the work may really be divided into a much greater number of parts than in those of a more trifling nature, the division is not near so obvious, and has accordingly been much less observed.

But to take an example from a very trifling manufacture ; but one in which the division of labour has been very often taken notice of, the trade of the *pin-maker* ; a workman not educated to this business (which the division of labour has rendered a distinct trade), nor acquainted with the use of the machinery employed in it (to the invention of which the same division of labour has probably given occasion), could scarce, perhaps, with his utmost industry, make *one* pin in a day, and certainly could not *twenty*.—But in the way in which this business is now carried on, not only the whole work is a peculiar trade, but it is divided into a number of branches, of which the greater part are likewise peculiar trades.—*One man draws out the wire, another straightens it, a third cuts it, a fourth points it, a fifth grinds it at the top for receiving the head; to make the head requires two or three distinct operations; to put it*

on is a peculiar business, to whiten the pins is another; it is even a trade by itself to put them into the paper; and the important business of making a pin is, in this manner, divided into about eighteen distinct operations, which, in some manufactories, are all performed by distinct hands, though in others the same man will sometimes perform two or three of them.—I have seen a small manufactory of this kind where ten men only were employed, and where some of them consequently performed two or three distinct operations.—But though they were very poor, and therefore but indifferently accommodated with the necessary machinery, they could, when they exerted themselves, make among them about twelve pounds of pins in a day.—There are in a pound upwards of four thousand pins of a middling size.—Those ten persons, therefore, could make among them upwards of forty-eight thousand pins in a day.—Each person, therefore, making a tenth part of forty-eight thousand pins, might be considered as making four thousand eight hundred pins in a day.—But if they had all wrought separately and independently, and without any of them having been educated to this peculiar business, they certainly could not each of them have made twenty, perhaps not one pin in a day; that is, certainly, not the two hundred

hundred and fortieth, perhaps not the four thousand eight hundredth part of what they are at present capable of performing, *IN CONSEQUENCE of a proper division and combination of their different operations.*

In every other art and manufacture, the effects of *the division of labour* are similar to what they are in this very trifling one; though in many of them the labour can neither be so much subdivided, nor reduced to so great a simplicity of operation.—The division of labour, however, so far as it can be introduced, occasions in every art a proportionable increase of the productive powers of labour.—The separation of different trades and employments from one another, seems to have taken place in consequence of this advantage.—This separation too is generally carried furthest in those countries which enjoy the highest degree of industry and improvement; what is the work of one man in a rude state of society being generally that of several in an improved one.—In every improved society the farmer is generally nothing but a farmer, the manufacturer nothing but a manufacturer.—The labour too which is necessary to produce any one complete manufacture, is almost always divided among a great number of hands.—How many different trades are employed in each branch of the linen and woollen

manufactures, from the growers of the flax and the wool to the bleachers and smoothers of the linen, or to the dyers and dressers of the cloth !

The great increase in the quantity of work which, **IN CONSEQUENCE** of the *division of labour*, the same number of people are capable of performing, is owing to *three* different circumstances.

1. To the increase of *dexterity* in every particular workman.

2. To the *saving of the time* which is commonly lost in *passing* from one species of work to another.

And 3. To the invention of a great number of *machines* which facilitate and abridge labour, and enable one man to do the work of many.

FIRST, the improvement of the *dexterity* of the workman necessarily increases the quantity of the work he can perform; and the division of labour, by reducing every man's business to some one simple operation, and by making this operation the sole employment of his life, necessarily increases very much the dexterity of the workman.

A *common smith*, who, though accustomed to handle the hammer, has never been used to make nails, if upon some particular occasion he is obliged to attempt it, will

will scarce, I am assured, be able to make above ~~two~~
or three hundred nails in a day, and those too very bad
ones.

A smith who has been accustomed to make nails, but
whose sole or principal business has not been that of a
nailer, can seldom with his utmost diligence make more
than eight hundred or a thousand nails in a day.

*I have seen several boys under twenty years of age who
had never exercised any other trade but that of making
nails, and who, when they exerted themselves, could make
each of them upwards of two thousand three hundred nails
in a day.*

The making of a nail, however, is by no means one
of the simplest operations.—The same person blows the
bellows, stirs or mends the fire as there is occasion, heats
the iron, and forges every part of the nail: in forging
the head too he is obliged to change his tools.—The
different operations into which the making of a pin, or
of a metal button, is subdivided, are all of them much
more simple, and the dexterity of the person, of whose
life it has been the sole business to perform them, is usu-
ally much greater.—The rapidity with which some of
the operations of those manufactures are performed, ex-
ceeds

teeds what the human hand could, by those who had never seen them, be supposed capable of acquiring.

SECONDLY, the advantage which is gained by saving *the time commonly lost in passing from one sort of work to another*, is much greater than we should at first view be apt to imagine it.—It is impossible to pass very quickly from one kind of work to another, that is carried on in a different place, and with quite different tools.—A country weaver, who cultivates a small farm, must lose a good deal of time in passing from his loom to the field, and from the field to his loom.—When the two trades can be carried on in the same workhouse, the loss of time is, no doubt, much less.—It is even in this case, however, very considerable.—A man commonly saunters a little in turning his hand from one sort of employment to another.—When he first begins the new work he is seldom very keen and hearty; his mind, as they say, does not go to it, and for some time he rather trifles than applies to good purpose.—The habit of sauntering, and of indolent careless application, which is naturally, or rather necessarily, acquired by every country workman who is obliged to change his work and his tools every half hour, and to apply his hand in twenty different

ways almost every day of his life ; renders him almost always slothful and lazy, and incapable of any vigorous application even on the most pressing occasions.—Independent, therefore, of his deficiency in point of dexterity, *this cause alone* must always reduce considerably the quantity of work which he is capable of performing.

THIRDLY, and lastly, every body must be sensible how much labour is facilitated and abridged by the application of proper machinery.—It is unnecessary to give any example.—I shall only observe, therefore, that the invention of all those machines by which labour is so much facilitated and abridged, seems to have been originally owing to the division of labour *.—Men are

much

* A broad-wheeled wagon, attended by two men, and drawn by eight horses, in about six weeks time carries and brings back between London and Edinburgh near four ton weight of goods. In about the same time a ship, navigated by six or eight men, and sailing between the ports of London and Leith, frequently carries and brings back two hundred ton weight of goods. Six or eight men, therefore, by the help of WATER-CARRIAGE, can carry and bring back in the same time the same quantity of goods between London and Edinburgh, as fifty broad-wheeled wagons, attended by a hundred men, and drawn by four hundred horses. Upon two hundred tons of goods, therefore, carried by the cheapest land-carriage from London to Edinburgh, there must be charged the maintenance of a hundred men for three weeks, and both the maintenance, and, what is nearly equal to the maintenance, the wear and tear of four hundred horses as well as of fifty great wagons. Whereas, upon the same quantity of goods carried by water, there is to be charged only the maintenance

much more likely to discover easier and readier methods of attaining any object, when the whole attention of their minds is directed towards that single object, than when it is dissipated among a great variety of things.—But in consequence of the division of labour, the whole of every man's attention comes naturally to be directed towards some one very simple object.—It is naturally to be expected, therefore, that some one or other of those who are employed in each particular branch of labour should soon find out easier and readier methods of performing their own particular work, wherever the nature of it admits of such improvement.—A great part of

tenance of six or eight men, and the wear and tear of a ship of two hundred tons burthen, together with the value of the superior risk, or the difference of the insurance between land and water-carriage. Were there no other communication between those two places, therefore, but by land-carriage, as no goods could be transported from the one to the other, except such whose price was very considerable in proportion to their weight, they could carry on but a small part of that commerce which at present subsists between them, and consequently could give but a small part of that encouragement which they at present mutually afford to each other's industry. There could be little or no commerce of any kind between the distant parts of the world. What goods could bear the expence of land-carriage between London and Calcutta? Or if there were any so precious as to be able to support this expence, with what safety could they be transported through the territories of so many barbarous nations? Those two cities, however, at present carry on a very considerable commerce with each other, and by mutually affording a market, give a good deal of encouragement to each other's industry.

the machines made use of in those manufactures in which labour is most subdivided, were originally the inventions of common workmen, who, being each of them employed in some very simple operation, naturally turned their thoughts towards finding out easier and readier methods of performing it.—Whoever has been much accustomed to visit such manufactures, must frequently have been shewn very pretty machines which were the inventions of such workmen, in order to facilitate and quicken their own particular part of the work.—*In the first fire-engines a boy was constantly employed to open and shut alternately the communication between the boiler and the cylinder, according as the piston either ascended or descended.—One of those boys, who loved to play with his companions, observed that, by tying a string from the handle of the valve which opened this communication to another part of the machine, the valve would open and shut without his assistance, and leave him at liberty to divert himself with his play-fellows.—One of the greatest improvements that has been made upon this machine since it was first invented, was in this manner the discovery of a boy who wanted to save his own labour.*

All the improvements in machinery, however, have by no means been the inventions of those who had oc-

casion to use the machines.—Many improvements have been made by the ingenuity of the makers of the machines, when to make them became the business of a peculiar trade ; and some by that of those who are called philosophers, or men of speculation, whose trade it is not to do any thing, but to observe every thing ; and who, upon that account, are often capable of combining together the powers of the most distant and dissimilar objects.—In the progress of society, *philosophy* or *speculation* becomes, like every other employment, the principal or sole occupation of a particular class of citizens.—Like every other employment too, it is subdivided into a great number of different branches, each of which affords occupation to a peculiar tribe or class of philosophers ; and this subdivision of employment in philosophy, as well as in every other business, improves dexterity, and saves time.—Each individual becomes more expert in his own peculiar branch, more work is done upon the whole, and the quantity of science is considerably increased by it.

IT IS THE GREAT MULTIPLICATION OF THE PRODUCTIONS OF ALL THE DIFFERENT ARTS, IN CONSEQUENCE OF THE DIVISION OF LABOUR, WHICH OCCASIONS, IN A WELL-GOVERNED SOCIETY, THAT UNIVERSAL

VERSAL OPULENCE WHICH EXTENDS ITSELF TO THE LOWEST RANKS OF THE PEOPLE.—EVERY WORKMAN HAS A GREAT QUANTITY OF HIS OWN WORK TO DISPOSE OF BEYOND WHAT HE HIMSELF HAS OCCASION FOR; AND EVERY OTHER WORKMAN BEING EXACTLY IN THE SAME SITUATION, HE IS ENABLED TO EXCHANGE A GREAT QUANTITY OF HIS OWN GOODS FOR A GREAT QUANTITY, OR, WHAT COMES TO THE SAME THING, FOR THE PRICE OF A GREAT QUANTITY OF THEIRS.—HE SUPPLIES THEM ABUNDANTLY WITH WHAT THEY HAVE OCCASION FOR, AND THEY ACCOMMODATE HIM AS AMPLY WITH WHAT HE HAS OCCASION FOR, AND A GENERAL PLENTY DIFFUSES ITSELF THROUGH ALL THE DIFFERENT RANKS OF THE SOCIETY.

Observe the *accommodation* of the most common artificer or day-labourer in a civilized and thriving country, and you will perceive that the number of people of whose industry a part, though but a small part, has been employed in procuring him this accommodation, exceeds all computation.—*The woollen coat, for example, which covers the day-labourer, as coarse and rough as it may appear, is the produce of the joint labour of a great multitude of workmen.—The shepherd, the sorter of the wool, the*

wool-

wool-comber or carder, the dyer, the scribbler, the spinner, the weaver, the fuller, the dresser, with many others, must all join their different arts in order to complete even this bony production.—How many merchants and carriers, besides, must have been employed in transporting the materials from some of those workmen to others, who often live in a very distant part of the country! how much commerce and navigation in particular; how many ship-builders, sailors, sail-makers, rope-makers, must have been employed in order to bring together the different drugs made use of by the dyer, which often come from the remotest corners of the world! What a variety of labour too is necessary in order to produce the tools of the meanest of those workmen! To say nothing of such complicated machines as the ship of the sailor, the mill of the fuller, or even the loom of the weaver, let us consider only what a variety of labour is requisite in order to form that very simple machine, the shears with which the shepherd*

* In civilized society man stands at all times in need of the co-operation and assistance of great multitudes, while his *whole life* is scarce sufficient to gain the *friendship* of a few persons. In almost every other race of animals, each individual, when it is grown up to maturity, is entirely independent, and in its natural state has occasion for the assistance of no other living creature. But man has almost constant occasion for the help of his brethren, and it is in vain for him to expect it from their *benevolence* only. He will be more likely to prevail if he can interest their *self-love* in his favour, and shew them that it is for their own advantage to do for him what he requires of them.—*Vide the Sch. on the Principle of Trade.*

clips

clips the wool.—The miner, the builder of the furnace for smelting the ore, the feller of the timber, the burner of the charcoal to be made use of in the smelting-house, the brick-maker, the brick-layer, the workmen who attend the furnace, the mill-wright, the forger, the smith, must all of them join their different arts in order to produce them.—Were we to examine, in the same manner, all the different parts of his dress and household furniture, the coarse linen shirt which he wears next his skin, the shoes which cover his feet, the bed which he lies on, and all the different parts which compose it, the kitchen-grate at which he prepares his viands, the coals which he makes use of for that purpose, dug from the bowels of the earth, and brought to him perhaps by a long sea and a long land carriage, all the other utensils of his kitchen, all the furniture of his table, the knives and forks, the earthen or pewter plates upon which he serves up and divides his viands, the different hands employed in preparing his bread and his beer, the glass windows which lets in the heat and the light, and keeps out the wind and the rain, with all the knowledge and art requisite for preparing that beautiful and happy invention, without which these northern parts of the world could scarce have afforded a very comfortable habitation, together with the tools of all the different workmen

workmen employed in producing those different conveniences; if we examine, I say, all these things, and consider what a variety of labour is employed about each of them, we shall be sensible that *without* the assistance and *co-operation* of *many thousands*, the very *meanest person* in a *civilized country* could not be provided, even according to, what we very falsely imagine, the easy and simple manner in which he is commonly accommodated.— Compared, indeed, with the more extravagant luxury of the great, his accommodation must no doubt appear extremely simple and easy; and yet it may be true, perhaps, that the accommodation of an European prince does not always so much exceed that of an industrious and frugal peasant, as the accommodation of the latter exceeds that of many *an African king*, the absolute master of the lives and liberties of ten thousand naked savages*.

* ADAM SMITH.

S E C T. IX.

ON THE INTRODUCTION OF MONEY.

WHEN *the division of labour* has been once thoroughly established, it is but a very small part of a man's wants which the produce of his own labour can supply.—He supplies the far greater part of them by exchanging that surplus part of the produce of his own labour, which is over and above his own consumption, for such parts of the produce of other men's labour as he has occasion for.—Every man thus lives by *exchanging*, or becomes in some measure a merchant, and the society itself grows to be what is properly a commercial society.

But when the division of labour *first* began to take place, this power of exchanging must frequently have been very much clogged and embarrassed in its operations.—One man, we shall suppose, has more of a certain commodity than he himself has occasion for, while another has less.—The former consequently would be

glad

glad to dispose of, and the latter to purchase, a part of this superfluity.—But if this latter should chance to have nothing that the former stands in need of, no exchange can be made between them.—The butcher has more meat in his shop than he himself can consume, and the brewer and the baker would each of them be willing to purchase a part of it.—But they have nothing to offer in exchange, except the different productions of their respective trades, and the butcher is already provided with all the bread and beer which he has immediate occasion for.—No exchange can, in this case, be made between them.—He cannot be their merchant, nor they his customers; and they are all of them thus mutually less serviceable to one another.—*In order to remove the inconvenience of such situations*, every prudent man in every period of society, after the first establishment of the division of labour, must naturally have endeavoured to manage his affairs in such a manner, as to have at all times by him, besides the peculiar produce of his own industry, a certain quantity of some one commodity or other, such as he imagined few people would be likely to refuse in exchange for the produce of their industry.

Many different commodities, it is probable, were successively

cessively both thought of and employed for this purpose.—In the rude ages of society, cattle are said to have been the common instrument of commerce; and, though they must have been a most inconvenient one, yet in old times we find things were frequently valued according to the number of cattle which had been given in exchange for them.—The armour of Diomed, says Homer, cost only *nine oxen*; but that of Glaucus cost *an hundred oxen*.—Salt is said to be the common instrument of commerce and exchanges in **ABYSSINIA**; a species of *shells* in some parts of the **COAST OF INDIA**; dried *cod* at **NEWFOUNDLAND**; *tobacco* in **VIRGINIA**; *sugar* in some of our **WEST INDIA COLONIES**; *bides* or *dressed leather* in some other countries; and there is at this day a village in **SCOTLAND** where it is not uncommon, I am told, for a workman to carry *nails* instead of money to the baker's shop or the ale-house.

In all countries, however, men seem at last to have been determined by irresistible reasons to give the preference, for this employment, to metals above every other commodity.—Metals can not only be kept with as little loss as any other commodity, scarce any thing being less perishable than they are, but they can likewise, without any loss, be divided into any number of parts, as by fusion those

parts

parts can easily be reunited again; a quality which no other equally durable commodities possess, and which more than any other quality renders them fit to be the instruments of commerce and circulation.—The man who wanted to buy salt, for example, and had nothing but cattle to give in exchange for it, must have been obliged to buy salt to the value of a whole ox, or a whole sheep, at a time.—He could seldom buy less than this, because what he was to give for it could seldom be divided without loss; and if he had a mind to buy more, he must, for the same reasons, have been obliged to buy double or triple the quantity, the value, to wit, of two or three oxen, or of two or three sheep.—If, on the contrary, instead of sheep or oxen, he had *metals* to give in exchange for it, he could easily *proportion* the quantity of the metal to the precise quantity of the commodity which he had immediate occasion for*.

IT IS IN THIS MANNER THAT MONEY HAS BECOME IN ALL CIVILIZED NATIONS THE UNIVERSAL INSTRUMENT OF COMMERCE, BY THE INTERVENTION OF WHICH GOODS OF ALL KINDS ARE BOUGHT AND SOLD, OR EXCHANGED FOR ONE ANOTHER.

* ADAM SMITH.

SECT.

S E C T. X.

OF THE PRICE OF COMMODITIES.

IN that early and rude state of society which precedes both the accumulation of stock and the appropriation of land, the proportion between the quantities of labour necessary for acquiring different objects seems to be the only circumstance which can afford any rule for exchanging them for one another.—If among a nation of hunters, for example, *it usually costs twice the labour* to kill a beaver which it does to kill a deer, *one beaver* should naturally exchange for, or be worth *two deer*.—It is natural that what is usually the produce of two days or two hours labour, should be worth double of what is usually the produce of one day's or one hour's labour.

If the one species of labour should be *more severe* than the other, some allowance will naturally be made for this superior hardship; and the produce of one hour's labour

labour in the one way may frequently exchange for that of two hours labour in the other.

Or if the one species of labour requires *an uncommon degree of dexterity and ingenuity*, the esteem which men have for such talents, will naturally give a value to their produce, superior to what would be due to the time employed about it.—Such talents can seldom be acquired but in consequence of long application, and the superior value of their produce may frequently be no more than a reasonable compensation for the time and labour which must be spent in acquiring them.

In the price of CORN, *one part* pays the rent of the landlord, *another* pays the wages or maintenance of the labourers and labouring cattle employed in producing it, and *the third* pays the profit of the farmer.—These *three* parts seem either immediately or ultimately to make up the *whole price* of corn.—A *fourth* part, it may perhaps be thought, is necessary for replacing the stock of the farmer, or for compensating the wear and tear of his labouring cattle, and other instruments of husbandry.

In the price of FLOUR or MEAL we must add to the price of the corn, the profits of the miller, and the wages of his servants; in the price of BREAD, the profits of the baker, and the wages of his servants; and in the

price of *both*, the labour of transporting the corn from the house of the farmer to that of the miller, and from that of the miller to that of the baker, together with the profits of those who advance the wages of that labour.

The price of FLAX resolves itself into the same three parts as that of corn.—In the price of LINEN we must add to this price the wages of the flax-dresser, of the spinner, of the weaver, of the bleacher, &c. together with the profits of their respective employers.

A gentleman who farms a part of his own estate, after paying the expence of cultivation, should gain both the rent of the *landlord* and the profit of the *farmer*.—He is apt to denominate, however, his whole gain, *profit*, and thus confounds rent with profit, at least in common language.

Common farmers seldom employ any overseer to direct the general operations of the farm. They generally too work a good deal with their own hands, as ploughmen, harrowers, &c.—What remains of the crop after paying the rent, therefore, should not only replace to them their stock employed in cultivation, together with its ordinary profits, but pay them the wages which are due to them, both as *labourers* and *overseers*.—Whatever remains,

mains, however, after paying the rent and keeping up the stock, is called profit,—but *wages* evidently make a part of it.—The farmer, by saving these *wages*, must necessarily gain them.—Wages, therefore, are in this case confounded with profit.

An *independent manufacturer*, who has stock enough both to purchase materials, and to maintain himself till he can carry his work to market, should gain both the wages of a journeyman who works under a master, and the profit which that master makes by the sale of the journeyman's work.—His whole gains, however, are commonly called profit, and wages are, in this case too, confounded with profit.

A *gardener* who cultivates his own garden with his own hands, unites in his own person the three different characters, of *landlord*, *farmer*, and *labourer*.—His produce, therefore, should pay him the rent of the *first*, the profit of the *second*, and the wages of the *third*.—The whole, however, is commonly considered as the earnings of his labour.—Both rent and profit are, in this case, confounded with wages.

An *apothecary* charges in his drugs the expence of his education, his house, his carriage if he has one, his constant attendance to the wishes of his employers, &c.—

X

But

But the whole is confounded in the idea of the value of the articles employed.

It is shameful to see the confusion at present existing with respect to MEDICINE.—*Quacks* are riding in their coaches, while many of the *regular faculty* absolutely starve.—*Physicians* instead of directing the *apothecary* write now for the *druggist*, and *druggists* in return have usurped the privilege of *medical advice*.—*Man-midwives* and *dentists* call themselves *surgeons*.—*Apothecaries*, nay *surgeons*, prescribe like *physicians*, and accept the fee as such, and we find, even in capital towns, the union of **OCCULIST—SURGEON—DENTIST—MAN-MIDWIFE—APOTHECARY**—and **DRUGGIST**, in the same person, which destroys altogether the advantage which results to society from the *proper distribution of labour*.

Why does not government interfere in regulating the practice of medicine?—The *chemist*, by not including *medical advice*, should demand less than the *apothecary*, who includes his attendance and skill in the drug. It would be certainly much to the advantage of the public, were the employments of *druggist* and *apothecary* separate, were the latter **INSPECTORS** of the shops of the former, and only, in fact, **MEDICAL ADVISERS**.—Drugs would not then be improperly heaped on the patient, and

and the *apothecary* and *physician* might still be distinguished, by their education and fee.—The fears of collusion between the *doctor* and *apothecary*, too often unjustly entertained, would cease, and the *practice of medicine* would be put on a more *liberal* and *gentleman-like* *footing* *.

* ADAM SMITH.

SECT. XI.

OF THE PRINCIPLE OF TRADE.

THIS division of labour, from which so many advantages are derived, is not originally the effect of any human wisdom, which foresees and intends that general opulence to which it gives occasion.—It is the necessary, though very slow and gradual, consequence of a certain propensity in human nature which has in view no such extensive utility ; it arises from *self-love*.

In civilized society man stands at all times in need of the co-operation and assistance of great multitudes, while his *whole life* is scarce sufficient to gain the *friendship* of a few persons.—In almost every other race of animals, each individual, when it is grown up to maturity, is entirely independent, and in its natural state has occasion for the assistance of no other living creature.—*But man has almost constant occasion for the help of his brethren*, and it is in vain for him to expect it from *their benevolence only*.

only.—He will be more likely to prevail if he can interest their **SELF-LOVE** in his favour, and shew them that it is for *their own advantage* to do for him what he requires of them.—Whoever offers to another a bargain of any kind, proposes to do this: “ *Give me that which I want, and you shall have this which you want,*” is the meaning of every such offer; and it is in this manner that we obtain from one another the far greater part of those good offices which we stand in need of.—It is not from the *benevolence* of the *butcher*, the *brewer*, or the *baker*, that we *expect* our *dinner*, but from their regard to their **own interest**.—We address ourselves, not to their *humanity*, but to their *self-love*; and never talk to them of *our own necessities*, but of their *advantages*.—Nobody but a beggar chooses to depend chiefly upon the benevolence of his fellow-citizens.—Even a beggar does not depend upon it entirely.—The charity of well-disposed people, indeed, supplies him with the whole fund of his subsistence.—But though this principle ultimately provides him with them as he has occasion for them, the greater part of his occasional wants are *supplied in the same manner* as those of other people, by *treaty*, by *barter*, and by *purchase*.—With the money which one man gives him he purchases food.—The old clothes which

another bestows upon him he exchanges for other old clothes which suit him better, or for lodging, or for food, or for money, with which he can buy either food, clothes, or lodging, as he has occasion *.

* ADAM SMITH.

In the same manner our government (as was shewn in the chapter on the Reform of Parliament) depends not on the *patriotism* of the legislature: but on a more *certain foundation*—**SELF-INTEREST**—or *the balance of powers*. This is not said to decry virtue: for *honesty is the best policy, and when we deviate from the path of rectitude we act against our proper interest*. There is undoubtedly a certain kind of honour in trade, or fear of universal censure, and of the resentment of the injured: but for all this, it is argued, that the general principle of trade is not generosity and humanity, or Christian philanthropy, but **SELF-INTEREST**; nor can it be imputed as a crime, that a man loves himself better than a neighbour, or perhaps a stranger, who has obliged him in nothing. To make every thing *run even*, the spring of activity should be such as has an influence on all descriptions of men.

S E C T. XII.

ON LUXURY.

LUXURY is a word of an uncertain signification, and may be taken in a *good* as well as in a *bad sense*.—In general, it means great refinement in the gratification of the senses; and *any degree of it* may be *innocent* or *blameable*, according to the age, or country, or condition of the person.—The bounds between virtue and vice cannot here be exactly fixed.—To imagine, that the gratifying of any sense, or the indulging of any delicacy in meat, drink, or apparel, is of itself a vice, can never enter into a head that is not disordered by the frenzies of enthusiasm.—I have, indeed, heard of a monk abroad, who, because the windows of his cell opened upon a noble prospect, made a covenant with his eyes never to turn that way, or receive *so sensual a gratification*.—And such is the crime of drinking Champagne or Burgundy, preferable to small beer or porter.—*These indulgences are only vices, when they are pursued at the expence of some virtue,*

tue, as liberality or charity; in like manner as they are follies, when for them a man ruins his fortune, and reduces himself to want and beggary — Where they entrench upon no virtue, but leave ample subject whence to provide for friends, family, and every proper object of generosity or compassion, they are entirely innocent, and have in every age been acknowledged such by almost all moralists.

Human happiness, according to the most received notions, seems to consist in three ingredients;

ACTION,
PLEASURE, and
INDOLENCE.

And though these ingredients ought to be mixed in different proportions, according to the particular disposition of the person; yet no one ingredient can be entirely wanting, without destroying, in some measure, the relish of the whole composition.—*Indolence*, or repose, indeed, seems not of itself to contribute much to our enjoyment; but, like sleep, is requisite as an indulgence to the weakness of human nature, which cannot support an uninterrupted course of business or pleasure.—That quick march of the spirits, which takes a man from himself, and chiefly gives satisfaction, does in the end exhaust the mind, and requires some intervals of repose,

pose, which, though agreeable for a moment, yet, if prolonged, beget a languor and lethargy, that destroys all enjoyment.—Education, custom, and example, have a mighty influence in turning the mind to any of these pursuits; and it must be owned, that, where they promote a relish for *action* and *pleasure*, they are so far favourable to human happiness.—*In times when industry and the arts flourish, men are kept in perpetual occupation, and enjoy, as their reward, THE OCCUPATION ITSELF, as well as THOSE PLEASURES which are the fruit of their labour.*—The mind acquires new vigour; enlarges its powers and faculties; and by an assiduity in honest industry, both satisfies its natural appetites, and prevents the growth of unnatural ones, which commonly spring up, when nourished by ease and idleness.—Banish those arts from society, you deprive men both of action and of pleasure; and leaving nothing but indolence in their place, you even destroy the relish of indolence, which never is agreeable, but when it succeeds to labour, and recruits the spirits, exhausted by too much application and fatigue.

Another advantage of industry and of refinements in the mechanical arts, is, that they commonly produce some refinements in the liberal; nor can one be carried to per-

fection, without being accompanied, in some degree, with the other.—The same age, which abounds with skilful weavers and ship-carpenters, usually produces great philosophers and politicians, renowned generals and poets.—The spirit of the age affects all the arts; and the minds of men, being once roused from their lethargy, and put into a fermentation, turn themselves on all sides, and carry improvements into every art and science.—*Profound ignorance* is totally banished, and men enjoy the privilege of rational creatures, to think as well as to act, to cultivate the pleasures of the mind as well as those of the body.

The more these refined arts advance, the more *sociable* men become; nor is it possible, that, when enriched with science, and possessed of a fund of conversation, they should be contented to remain in solitude, or live with their fellow-citizens in that distant manner, which is peculiar to ignorant and barbarous nations.—They flock into cities; love to receive and communicate knowledge; to shew their wit or their breeding; their taste in conversation or living, in clothes or furniture.—Curiosity allures the wise; vanity the foolish; and pleasure both.—Particular clubs and societies are every where formed; both sexes meet in an easy and sociable manner;

ner; and the tempers of men, as well as their behaviour, refine space.—So that, beside the improvements which they receive from knowledge and the liberal arts, it is impossible but they must feel an increase of humanity, from the very habit of conversing together, and contributing to each other's pleasure and entertainment. Thus INDUSTRY, KNOWLEDGE, and HUMANITY, are linked together by an *indissoluble* chain, and are found, from experience as well as reason, to be *peculiar* to the *more polished*, and, what are commonly denominated, *the more luxurious ages*.

Nor are THESE ADVANTAGES attended with *disadvantages*, that bear *any proportion to them*.—The more men refine upon pleasure, the less will they indulge in excesses of any kind; because nothing is more destructive to true pleasure than such excesses.—One may safely affirm, that the *Tartars* are oftener guilty of *beastly gluttony*, when they feast on their dead horses, than *European courtiers* with all their refinements of cookery.—And if libertine love, or even infidelity to the marriage-bed, be more frequent in polite ages; *drunkenness*, on the other hand, is much less common.

But INDUSTRY, KNOWLEDGE, and HUMANITY, are *not* advantageous in *private life* alone: they diffuse their

beneficial influence on *the public*, and render the government as great and flourishing as they make individuals happy and prosperous.—The increase and consumption of all the commodities, which serve to the ornament and pleasure of life, are advantageous to society; because, at the same time that they multiply those innocent gratifications to individuals, they are a kind of storehouse of labour, which, in the exigencies of state, may be turned to the public service.—In a nation, where there is no demand for such superfluities, men sink into indolence, lose all enjoyment of life, and are useless to the public, which cannot maintain or support its fleets and armies, from the industry of such slothful members.

The bounds of all the *European* kingdoms are, at present, nearly the same they were two hundred years ago: *but what a difference is there in the power and grandeur of those kingdoms?* Which can be ascribed to nothing but the increase of art and industry.—When CHARLES VIII. of France invaded Italy, he carried with him about 20,000 men: yet this armament so exhausted the nation, as we learn from Guicciardin, that for some years it was not able to make any great effort.—LOUIS XIV. in time of war, kept in pay above 400,000 men †;

† The inscription on the Place-de-Vendome says 440,000.

though

though from Mazarine's death to his own, he was engaged in a course of wars that lasted near thirty years.

This industry is much promoted by the knowledge inseparable from ages of art and refinement; as, on the other hand, this knowledge enables the public to make the best advantage of the industry of its subjects.—Laws, order, police, discipline; these can never be carried to any degree of perfection, before human reason has refined itself by exercise, and by an application to the more vulgar arts, at least, of *commerce* and *manufacture*.—Can we expect, that a government will be well modelled by a people, who know not how to make a spinning-wheel, or to employ a loom to advantage? Not to mention, that all ignorant ages are infested with superstition, which throws the government off its bias, and disturbs men in the pursuit of their interest and happiness.

Knowledge in the arts of government naturally begets mildness and moderation, by instructing men in the advantages of *humane maxims* above rigour and severity, which drive subjects into rebellion, and make the return to submission impracticable, by cutting off all hopes of pardon.—When the tempers of men are softened as well

as

as their knowledge improved, *this humanity appears still more conspicuous, and is the chief characteristic which distinguishes a civilized age from times of barbarity and ignorance.*—*Actions are then less inveterate, revolutions less tragical, authority less severe, and seditions less frequent.*—*Even foreign wars abate of their cruelty; and after the field of battle, where honour and interest steel men against compassion as well as fear, the combatants divest themselves of the brute, and resume the man.*

Nor need we fear, that men, by losing their ferocity, will lose their martial spirit, or become less undaunted and vigorous in defence of their country or their liberty.—The arts have no such effect in enervating either the mind or body.—On the contrary, industry, their inseparable attendant, adds new force to both.—And if anger, which is said to be the whetstone of courage, loses somewhat of its asperity, by politeness and refinement; *a sense of honour*, which is a stronger, more constant, and more governable principle, acquires fresh vigour by that elevation of genius which arises from knowledge and a good education.—Add to this, that courage can neither have any duration, nor be of any use, when not accompanied with discipline and martial skill, which are seldom found among a barbarous people.—The ancients

remarked, that *Datames* was the only barbarian that ever knew the art of war.—And *Pyrrhus*, seeing the **ROMANS** marshal their army with some art and skill, said with surprise, “ *Those barbarians have nothing barbarous in their discipline!* ”

What has chiefly induced severe moralists to declaim against refinement in the arts, is the example of *ancient Rome*, which, joining to its poverty and rusticity, virtue and public spirit, rose to such a surprising height of grandeur and liberty; but having learned from its conquered provinces *the Asiatic luxury*, fell into every kind of corruption; whence arose *sedition* and *civil wars*, attended at last with *the total loss of liberty*.—All the Latin classics, whom we peruse in our infancy, are full of these sentiments, and universally ascribe the ruin of their state to the arts and riches imported from the east: insomuch that **SALLUST** represents a taste for *painting* as a vice, no less than *lewdness* and *drinking*.—And so popular were these sentiments, during the later ages of the republic, that this author abounds in praises of the old *rigid Roman virtue*, though himself the most egregious instance of modern luxury and corruption: speaks contemptuously of the *Grecian eloquence*, though the most elegant writer in the world; nay, employs preposterous digressions

fions and declamations to this purpose, though a model of taste and correctness.

But it would be easy to prove, that these writers *mistook* the cause of the disorders in the Roman state, and *ascribed* to *luxury* and *the arts*, what really proceeded from an *ill-modelled government*, and *the unlimited extent of conquests*.—Refinement on the pleasures and conveniences of life has no natural tendency to beget venality and corruption.—The value, which all men put upon any particular pleasure, depends on comparison and experience; nor is a porter less greedy of money, which he spends on bacon and brandy, than a courtier who purchases champagne and ortolans.—*Riches are valuable at all times, and to all men; because they always purchase pleasures, such as men are accustomed to, and desire: nor can any thing restrain or regulate the love of money, but a sense of honour and honesty; which, if it be not nearly equal at all times, will naturally abound most in ages of knowledge and refinement.*

The liberties of ENGLAND, so far from decaying since the improvements in the arts, have never flourished so much as during that period.—And though corruption may seem to increase of late years; this is chiefly to be ascribed to our established liberty, when our princes have found the im-

possibility

possibility of governing without parliaments, or of terrifying parliaments by the phantom of prerogative.—Not to mention, that this corruption or venality prevails much more among the *electors* than the elected; and therefore cannot justly be ascribed to any refinements in luxury.

If we consider the matter in a proper light, we shall find, that a progress in the arts is rather favourable to *liberty*, and has a natural tendency to *preserve*, if not produce, a **FREE GOVERNMENT**.—In rude unpolished nations, where the arts are neglected, all labour is bestowed on the cultivation of the ground; and the whole society is divided into two classes, *proprietors of land*, and their *vassals* or *tenants*.—The latter are necessarily dependent, and fitted for slavery and subjection; especially where they possess no riches, and are not valued for their knowledge in agriculture; as must always be the case where the arts are neglected.—The former naturally erect themselves into petty tyrants; and must either submit to an absolute master, for the sake of peace and order; or, if they will preserve their independency, like the ancient barons, they must fall into feuds and contests among themselves, and throw the whole society into such confusion, as is perhaps worse than the most

despotic government.—But where luxury nourishes commerce and industry, the peasants, by a proper cultivation of the land, become rich and independent; while the tradesmen and merchants acquire a share of the property, and draw authority and consideration to that middling rank of men, who are the best and firmest basis of public liberty.—These submit not to slavery, like the peasants, from poverty and meanness of spirit; and, having no hopes of tyrannizing over others, like the barons, they are not tempted, for the sake of that gratification, to submit to the tyranny of their sovereign.—They covet *equal laws*, which may secure their property, and preserve them from *monarchical*, as well as *aristocratical* tyranny*.

UPON THE WHOLE IT APPEARS THEN, THE LABOURS OF AN INDUSTRIOUS AND INGENIOUS PEOPLE IN CIVILIZED COUNTRIES ARE VARIOUSLY, BUT INCESSANTLY EMPLOYED, IN THE SERVICE OF THE RICH.—IN THEIR DRESS, THEIR TABLE, THEIR HOUSES, AND THEIR FURNITURE, THE FAVOURITES OF FORTUNE UNITE EVERY REFINEMENT OF CONVENIENCY, OF ELEGANCE, AND OF SPLENDOUR; WHATSOEVER CAN SOOTH THEIR PRIDE, OR GRATIFY THEIR SENSUALITY.—SUCH REFINEMENTS UNDER THE ODI-

* HUME.

OUS

OUS NAME OF LUXURY, HAVE BEEN SEVERELY ARRAIGNED BY THE MORALISTS OF EVERY AGE; BUT IN THE PRESENT IMPERFECT CONDITION OF SOCIETY, LUXURY, THOUGH IT MAY PROCEED FROM VICE OR FOLLY AND OCCASION THEM, SEEMS TO BE THE ONLY LIKELY MEANS TO PROMOTE THE INDUSTRY OF OTHERS, AND CORRECT THE UNEQUAL* DISTRIBUTION OF PROPERTY.—THE DILIGENT MECHANIC, AND THE SKILFUL ARTIST, WHO HAVE OBTAINED NO SHARE IN THE DIVISION OF THE EARTH, RECEIVE A VOLUNTARY TAX FROM THE POSSESSORS OF GREAT ESTATES; AND THE LATTER ARE PROMPTED, BY A SENSE OF INTEREST, TO IMPROVE THOSE LANDS, WITH WHOSE PRODUCE THEY MAY BE ENABLED TO PURCHASE ADDITIONAL PLEASURES.

SECT.

* It must, indeed, be confessed, that nature is so liberal to mankind, that *were all her presents equally divided among the species, and improved by art and industry, every individual would enjoy all the necessaries, and even most of the comforts of life; nor would ever be liable to any ills, but such as might accidentally arise from the fickle frame and constitution of his body.*—It must be confessed, wherever we depart from the EQUALITY, we rob the poor of more satisfaction than we add to the rich, and that the slight gratification of a *frivolous vanity*, in one individual, frequently costs more than *bread to MANY FAMILIES, and EVEN PROVINCES.*

But historians, alas! and even common sense, may inform us, however

SECT. XIII.

ON LIBERTY AS CONNECTED WITH TRADE.

THE arts and manufactures, trade and commerce, are inseparably connected with FREEDOM; *they arise* from IT; and *they tend to produce* IT.—Let any country regain its LIBERTY, and *these return*; let a country lose its LIBERTY, and *these gradually die away*; let *them flourish*, and the country cannot easily be subdued by a foreign power, nor enslaved by its own sovereign.—*Artists, manufacturers, and merchants, are the life and soul of LIBER-*

Specious these levelling ideas, they are really, at bottom, impracticable; and were they not so, would be extremely pernicious to human society.

Render possessions ever so equal, men's different degrees of art, care, and industry, will immediately break *that equality*.—Or if you *check these virtues*, you reduce society to the extreme indigence; and instead of preventing *want* and *beggary* in a few, render it *unavoidable* to the *whole community*.—The most rigorous inquisition, too, is requisite to watch every inequality on its first appearance; and the most severe jurisdiction, to punish and redress it.—But besides, that *so much authority* must soon degenerate into *tyranny*, and be exerted with *great partialities*; and who can possibly be possessed of it in the *servile state* here supposed? HUME.—(This by the bye, that the meaning of the last paragraph may not be misunderstood.)

TY;

TY; the metropolis is the chief vital part, where the first and the last pulse of LIBERTY will be felt.

Under a despotic government, property is precarious, wealth is dangerous; it is not the interest of the despot to encourage trade, nor is it the interest of merchants and manufacturers to trust a despot.

The most fertile country, if the government is not free, will not allure them; security of property, and certainty of enjoyment, being their first research, these bees often lodge their honey in the barren rock.—The *Tyrians* by commerce acquired such wealth and strength, as enabled them for thirteen years to resist the whole power of *NEBUCHADNEZZAR*; rather than submit at last, they quitted a fertile country, and retired to a little island, where they built their city on a rock, and there maintained their freedom.—*Marseilles* is surrounded by a barren country.—The cities of *Holland* are enclosed by marshes, and *Venice* by the sea.

At the commencement of the eleventh century, EUROPE began to *awake* as out of a deep sleep; the eyes of its inhabitants were opened to see the utility of COMMERCE, with the value of LIBERTY, and their mutual connection.—They had borne the yoke of *feudal* tyranny for many ages.—That system of government was

very

very simple, but to the last degree oppressive.—The sovereign sometimes exerted despotic sway over the feudal lords; at other times, indeed, his power was circumscribed, and his authority despised; but the feudal lords themselves exercised at *all times* the most absolute dominion over their slaves and vassals.—Cities being subject to the jurisdiction and oppression of the lords, and deserted by merchants and manufacturers, were inhabited only by slaves, and the lowest of the people.—The active and industrious artists were driven away by the impolitic exactions, and absurd regulations of the avaricious barons.—In the eleventh century, some cities in *Italy* cast off the yoke, others purchased their freedom, and established an equal government.—The cities of *France*, *Germany*, *Spain*, and *England*, soon followed the example.

In the *train of returning LIBERTY*, came the *arts, manufactures, commerce, industry, and wealth*.—Happy had it been for mankind, if luxury could have been left behind.—Even luxury, under the restraint of reason and religion, is beneficial to society, promotes industry, and leads to the perfection of the arts.

At the introduction of commerce, the cities of *Italy* took the lead, and soon established their freedom and independence;

dependence; among these was *Florence*, by whose government, under the form of a democracy, encouraging and protecting manufactures, this city grew in power, and its citizens in wealth.

Venice is more ancient and honourable than *Florence*. *Venice* is governed by a peculiar kind of aristocracy, whose interest is to encourage commerce, because her nobility engage in it.—*Jealous of her liberty, she employs only foreign mercenaries in her army, while her navy, which is her chief strength, is manned and commanded by her own subjects.*—By her traffic she acquired such wealth and power, as enabled her, in the beginning of the sixteenth century, to resist the united efforts of the *Pope*, the *Emperor of Germany*, the *kings of France and Arragon*, with almost all the *princes of Italy*.—It matters not what free form of government is adopted by any country, democracy, or mixed monarchy, provided the artists, manufacturers, and merchants, can find a spot where they may enjoy peace and quietness, protection and security for their persons and possessions.—We have had examples of the two first; let us consider an instance of the latter.—The *Seventeen Provinces of the Netherlands* were first united under *Philip of Burgundy*, in the beginning of the fifteenth century.—They had long en-

joyed the sweets of a free government, similar to that established in all the northern nations.—The sovereignty was hereditary, but the laws were passed, and taxes voted, by the three estates of the nobility, the clergy, and the commons.—Their cities had peculiar immunities and internal jurisdiction.—This security and happiness was not disturbed by *Philip*.—This prince being *wife*, considered, that the wealth which flowed into his dominions through the cities of *Bourges*, *Ghent*, and *Antwerp*, would cease to flow, should these cities lose their LIBERTY; being *good*, HE LOVED HIS SUBJECTS, AND REJOICED TO SEE THEM HAPPY.—When therefore by their blood and treasure he had established his throne, and secured himself against the power of *France*, HE WAS CONTENTED TO REIGN OVER A FREE PEOPLE; KNOWING THAT THE HAPPINESS OF THE SUBJECT IS THE SUREST FOUNDATION OF THE SOVEREIGN'S GREATNESS.

The emperor *Charles* the Vth, being a native of the *Low Countries*, had a peculiar love for this part of his dominions; which, during his reign, continued to increase in wealth.—*Philip* the II^d, his successor in the *Netherlands* and *Spain*, being a prince of different dispositions, and residing in *Spain*, his native country, appointed

pointed the *Duchess* of *Parma* regent of the *Low Countries*, with orders to set up THE INQUISITION*.—The common

* The *prisoners* of the inquisition are little dark cells, without any furniture but a hard quilt: the *prisoner* is not permitted to see any one except his keeper, in this cell, who brings his diet with a lamp that burns half an hour, and departs in silence. At the end of three days he is carried to the *inquisitor*, and takes an oath to return true answers to all questions which shall be put to him, and to confess all his heresies. If he have no heresies to confess, he is carried back to his doleful dungeon for three days more, to recollect himself, and to call to mind his heresies, his teachers, and his accomplices. Being again brought before the inquisitors, they ask him where he was born and educated; who were his parents, masters, confessor; when he was last at confession, or the mass? If, in answering all these questions, he cannot be brought to accuse himself, he is sent back again to his dark and dismal prison, and time is given him to pray for repentance. At the end of three days he is carried again to the inquisitors, who now examine him on the peculiar doctrines of popery, on transubstantiation, on worshipping the host, images, saints, and the Virgin Mary; on the infallibility of the pope, and his power to pardon sins past, present, and to come, &c. &c. If he answers, that he *believes all this*, he is then taken to the rack, attended by a *notary*, who is to write down his confession. Here he remains in torment for one hour by the glaſs, after which a *forges* puts his bones in joint, and he is carried back to his cell. And this horrid process is repeated three times, at certain intervals, till the miserable wretch perhaps confesses heresies he was never guilty of, or acknowledges that he dare not worship idols. If, after two days, the prisoner affirms that his confession was extorted from him by the torments he underwent, and therefore refuses to sign it; he is again put upon the rack. If he confesses that he did speak heretical words, but to save his estate for his family, affirms that he spake them unadvisedly; he is put upon the rack to prove the truth of this assertion. The prisoner never knows who are his accusers, or what particular words or actions are laid to his charge; nor must his advocate know these things. Witnesses are compelled to give evidence, under pain of the greater excommunication; and his own advocate is bound by oath to divulge his

common people revolted, but were soon reduced.—To punish them, to insure the establishment of the inquisition, and to prevent any future insurrections, *Philip* sent a reinforcement to the *Duchess*, consisting of ten thousand veteran soldiers, Spanish and Italian, under the command of the *Duke of Alva*, an experienced general.—This force produced astonishment, submission, and despair, among those who could not fly before it.—“*Upon the first report of this expedition, the trading people of the towns and country began in vast numbers to retire out of the provinces; so as the duchess wrote to the king, that in a few days above a hundred thousand men had left the coun-*

client's secrets. When the fatal morning is come, the dominicans begin the procession, followed by the penitents clothed in black, barefooted, and with wax candles in their hands; some have benitocs, and others who have but just escaped being burnt, have inverted flames painted on their garments: then come the negative and relapsed, with flames pointed upwards; then the professed, with flames painted on their garments and on their breasts, carrying their own pictures, with dogs, serpents, and devils round them, all with open mouths. The *familiars* and *inquisitors* close the procession. After prayers and a sermon, the prisoners are delivered over to the secular arm, with earnest treaties not to touch their blood, or put their life in danger! They are instantly bound with chains, carried to the secular prison for about two hours, then brought out, chained to stakes about four yards high, seated within half a yard of the top, when the negative and relapsed are strangled, but the honest and professed are solemnly delivered up to the devil; after which the holy fathers leave them: when, their faces being first scorched, the furze is kindled round them, and in about half an hour in calm weather, or in about two hours in very windy weather, their excruciating torments end. Dr. GEDDGS.

try, and withdrawn both their money and their goods, and more were following every day: so great an antipathy there ever appears between merchants and soldiers."—Many of these families came to *England*, and settled in *Norwich*, *Colchester*, *Sandwich*, *Maidstone*, and *Southampton*, under protection of Queen *Elizabeth*.—In return for their hospitable reception, they enriched the kingdom with the manufacture of bays, and other linen and woollen cloths of like kind *.—Some of them settled in *Sweden*, and carried the iron and other manufactures into that country †.—*Fresh exactions, cruelties, and oppressions, excited in the NETHERLANDS fresh insurrections, which never more subsided till after a contest, which lasted upwards of forty years, the SEVEN UNITED PROVINCES established their liberty, and were acknowledged a free and independent people.*—The arts, manufactures, and commerce, returned with returning liberty, and wealth flowed in upon them from every quarter of the globe.

If for a moment we can turn away our eyes from this scene of industry, from these rich provinces, where peace and plenty reign, let us enquire what is become of *Athens*, *Tyre*, *Sidon*, *Carthage*, *Colchis*, *Syracuse*,

* *Camden*, p. 416.

† *Lord Moleworth's Account of Denmark and Sweden*.

Agrigentum, Rhodes, those free cities, each of which in its day has been the metropolis of the commercial world? They are now no more, their place is hardly to be found.—They lost their liberty, and with liberty the arts, manufactures, and commerce, have taken their everlasting flight.*

* TOWNSEND.

SECT.

SECT. XIV.

ON AGRICULTURE.

THE *final view* of all RATIONAL POLITICS is to produce *the greatest quantity of happiness* in a given tract of country.—The riches, strength, and glory of nations, the topics which history celebrates, and which alone almost engage the praises, and possess the admiration of mankind, have no value farther than as they contribute to *this end*.—When they interfere with it, they are evils, and not the less real for the splendour that surrounds them.

Secondly, although we speak of communities as of sentient beings; although we ascribe to them happiness and misery, desires, interests, and passions, nothing really exists or feels but *individuals*.—*The happiness of a people* is made up of the happiness of *single persons*; and the quantity of happiness can only be augmented by increasing the happiness of individuals.

The fertility of the ground, in temperate regions, is

capable of being improved by *cultivation* to an extent which is unknown: much, however, beyond the state of improvement in any country in EUROPE.—In our own, which holds almost the first place in the knowledge and encouragement of *agriculture*, let it only be supposed that every field in ENGLAND of the same original quality with those in the neighbourhood of the metropolis, and consequently capable of the same fertility, were by a like management made to yield an equal produce, and it may be asserted, I believe, with truth, that the quantity of human provision raised in the island would be increased *fivefold*.—The two principles, therefore, upon which population seems primarily to depend, *the fecundity of the species*, and *the capacity of the soil*, would in most, perhaps in all countries, enable it to proceed much further than it has yet advanced.—The number of marriageable women, who, in each country, remain unmarried, afford a computation how much the agency of nature in the diffusion of human life is cramped and contracted; and *the quantity of waste, neglected, or mismanaged surface*, together with a comparison, like the preceding, of the crops raised from the soil in the neighbourhood of populous cities, and under a perfect state of cultivation, with those, which lands

of

of equal or superior quality yield in different situations, will shew in what proportion the indigenous productions of the earth are capable of being further augmented.

In CHINA, where the inhabitants frequent the sea shore, and subsist in a great measure upon fish, the population is described to be excessive.—This peculiarity arises, not probably from any civil advantages, any care or policy, any particular constitution or superior wisdom of government, but simply from hence, that the species of food, to which custom hath reconciled the desires and inclinations of the inhabitants, is that which, of all others, is procured in the greatest abundance, with the most ease, and stands in need of the least preparation.

The natives of INDOSTAN, being confined, by the laws of their religion, to the use of *vegetable food*, and requiring little except rice, which the country produces in plentiful crops; and food, in warm climates, composing the only want of life; these countries are populous, under all the injuries of a despotic, and the agitations of an unsettled government.—If any revolution, or what would be called perhaps refinement of manners, should generate in these people *a taste for the flesh of animals*, similar to what prevails amongst the Arabian hordes;

hordes; should introduce flocks and herds into grounds which are now covered with corn; should teach them to account a certain portion of this species of food amongst the necessaries of life; the population, from this single change, would suffer in a few years a great diminution: and this diminution would follow, in spite of every effort of the laws, or even of any improvement that might take place in their civil condition.

The first resource of savage life is in the flesh of WILD ANIMALS; hence the numbers amongst savage nations, compared with the tract of country which they occupy, are universally small, because this species of provision is, of all others, supplied in the slenderest proportion.—*The next step* was the invention of PASTURAGE, or the rearing of flocks and herds of tame animals.—*This alteration* added to the stock of provision much: but *the last and principal improvement* was to follow, namely, TILLAGE, or the artificial production of corn, esculent plants, and roots.

So far as the state of population is governed and limited by the quantity of provision, perhaps there is no single cause that affects it so powerfully, as the kind and quality of food, which chance or usage hath introduced into a country.—In ENGLAND, notwithstanding the produce

produce of the soil has been, of late, considerably *increased*, by the inclosure of wastes, and the adoption, in many places, of a more successful husbandry, yet we do not observe a corresponding addition to the number of inhabitants; the reason of which appears to me to be the more general consumption of *animal food* amongst us.—Many ranks of people, whose ordinary diet was, in the last century, prepared almost entirely from milk, roots, and vegetables, now require every day a considerable portion of the flesh of animals.—Hence a great part of the richest lands of the country are converted to pasture.—Much also of the bread corn, which went directly to the nourishment of human bodies, now only contributes to it, by fattening the flesh of sheep and oxen.—The mass and volume of provisions are hereby *diminished*; and what is gained in the melioration of the soil is lost in the quality of the produce.—This consideration teaches us, that **TILLAGE**, as an object of national care and encouragement, is universally preferable to *pasturage*; because the kind of provision which it yields goes *much further* in the sustentation of human life.—**TILLAGE** is also recommended by this additional advantage, that it affords *employment* to a much more numerous *peasantry*.—Indeed *pasturage* seems to be the art of a nation,

either imperfectly civilized, as are many of the tribes which cultivate it in the internal parts of ASIA ; or of a nation, like SPAIN, declining from its summit by luxury and inactivity.

The kind and quality of provision, together with the extent and capacity of the soil from which it is raised, being the same ; the quantity procured will principally depend upon two circumstances, the *ability* of the occupier, and the *encouragement* which he receives.—The greatest misfortune of a country is an indigent tenantry.—Whatever be the native advantages of the soil, or even the skill and industry of the occupier, the want of a *sufficient capital* confines every plan, as well as cripples and weakens every operation of husbandry.—This evil is felt where agriculture is accounted a servile or mean employment : where farms are *extremely subdivided*, and badly furnished with habitations; where leases are unknown, or are of short or precarious duration.—With respect to the *encouragement* of husbandry ; in this, as in every other employment, the true reward of industry is in the price and sale of the produce.—The exclusive right to the produce is the only incitement which acts constantly and universally ; the only spring which keeps human labour in motion.—**ALL THEREFORE THAT THE LAWS**

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CAN DO, IS TO SECURE THIS RIGHT TO THE OCCUPIER OF THE GROUND, THAT IS, TO CONSTITUTE SUCH A SYSTEM OF TENURE, THAT THE FULL AND ENTIRE ADVANTAGE OF EVERY IMPROVEMENT GO TO THE BENEFIT OF THE IMPROVER; THAT EVERY MAN WORK FOR HIMSELF, AND NOT FOR ANOTHER; AND THAT NO MAN SHARE IN THE PROFIT WHO DOES NOT ASSIST IN THE PRODUCTION.

No man can purchase without an equivalent, and that equivalent, by the generality of the people, must, in every country, be derived from employment. And upon this basis is founded the public benefit of *trade*, that is to say, its subserviency to increase the quantity of food, in which its only real utility consists.—Of that industry, and of those arts and branches of trade, which are employed in the production, conveyance, and preparation of any principal species of human food, as of the business of the husbandman, the butcher, baker, brewer, corn-merchant, &c. we acknowledge the necessity: likewise of those manufactures which furnish us with warm clothing, convenient habitations, domestic utensils, as of the weaver, taylor, smith, carpenter, &c. we perceive (in climates, however, like ours, removed at a distance from the sun) the conduciveness to happiness,

ness, by their rendering human life more healthy, vigorous, and comfortable.—*But not one half of the occupations which compose the trade of Europe fall within either of these descriptions.*—Perhaps two thirds of the manufacturers of England are employed upon articles of confessed luxury, ornament, or splendour: in the superfluous embellishment of some articles which are useful in their kind, or upon others which have no conceivable use or value, but what is founded in caprice or fashion.—What can be less necessary, or less connected with the sustentation of human life, than the whole produce of the silk, lace, and plate manufactory?—yet *what multitudes* labour in the different branches of these arts!—What can be imagined more capricious than the fondness for tobacco and snuff?—yet how many various occupations, and *how many thousands* in each, are set at work in administering to this frivolous gratification!—Concerning trades of this kind, and this kind comprehends more than half of the trades that are exercised, it may fairly be asked, “*how, since they add nothing to the stock of provision, do they tend to increase the number of the people?*”—We are taught to say of trade, “*that it maintains multitudes;*” but by what means does it maintain them, when it produces nothing upon which the support of human life depends?

pends?—In like manner with respect to foreign commerce; of that merchandise which brings the necessaries of life into a country, which imports, for example, corn, or cattle, or cloth, or fuel, we allow the tendency to advance happiness, because it increases the stock of provision by which the people are subsisted.—Here, therefore, as before, we may fairly ask, by what operation it is, that *foreign commerce*, which brings into the country not many articles of human subsistence, promotes the pleasures of human life?

Since the soil will maintain many more than it can employ, what must be done, supposing the country to be full with the remainder of the inhabitants? They who, by the rules of partition (and some such must be established in every country), are entitled to the land; and they who, by their labour upon the soil, acquire a right in its produce, will not part with their property for nothing; or rather, they will no longer raise from the soil what they can neither use themselves, nor exchange for what they want.—Or, lastly, if these were willing to distribute what they could spare of the provision which the ground yielded, to others who had no share or concern in the property or cultivation of it, yet still the most enormous mischiefs would ensue from great numbers

numbers remaining unemployed.—*The idleness of one half of the community would overwhelm the whole with confusion and disorder.*—One only way presents itself of removing the difficulty which this question states, and which is simply this; that they, whose work is not wanted, nor can be employed in the raising of provision out of the ground, convert their hands and ingenuity to the fabrication of articles which may gratify and require those who are so employed, or who, by the division of lands in the country, are entitled to the exclusive possession of certain parts of them.—*By this contrivance all things proceed well.*—The occupier of the ground raises from it the utmost that he can procure, because he is repaid for what he can spare by something else, which he wants, or with which he is pleased: the artist and manufacturer, though he have neither any property in the soil, nor any concern in its cultivation, is regularly supplied with the produce, because he gives in exchange for what he stands in need of something, upon which the receiver places an equal value: and the community is kept quiet, whilst both sides are engaged in their respective occupations.

It appears then, “**THAT THE BUSINESS OF ONE HALF OF MANKIND IS TO SET THE OTHER HALF AT WORK;**”

work;" that is, to provide articles, which, by tempting the desires, may stimulate the industry, and call forth the activity of those, upon the exertion of whose industry, and the application of whose faculties, the production of human provision depends.—A certain portion only of human labour is, or can be *productive*; the rest is *instrumental*—both *equally necessary*, though the one have no other object than to excite the other.

It appears also, that it signifies nothing as to the main purpose of trade, how superfluous the articles which it furnishes are; whether the want of them be real or imaginary; whether it be founded in nature or in opinion, in fashion, habit, or emulation: it is enough that they be actually desired and sought after.—Flourishing cities are raised and supported by trading in tobacco: popular towns subsist by the manufacture of ribbons.—A watch may be a very unnecessary appendage to the dress of a peasant, yet if the peasant will till the ground in order to obtain a watch, the true design of trade is answered; and the watch-maker, whilst he polishes the case, or files the wheels of his machine, is contributing to the production of corn as effectually, though not so directly, as if he handled the spade or held the plough.—*The use of tobacco has been mentioned already, not only as an acknowledged superfluity, but as affording a remarkable*

example of the caprice of human appetite: yet, if the fisherman will ply his nets, or the mariner fetch rice from foreign countries, in order to procure to himself this indulgence, the market is supplied with two important articles of provision, by the instrumentality of a merchandise which has no other apparent use than the gratification of a vitiated palate.

But it may come to pass that the husbandman, land-owner, or whoever he be, that is entitled to the produce of the soil, will no longer exchange it for what the manufacturer has to offer.—He is already supplied to the extent of his desires.—For instance, he wants no more cloth; he will no longer therefore give the weaver corn, in return for the produce of his looms; but he would readily give it for *tea*, or for *wine*.—When the weaver finds this to be the case, he has nothing to do but to send his cloth abroad in exchange for *tea* or for *wine*, which he may barter for that provision which the offer of his cloth will no longer procure.—The *circulation* is thus revived; and the benefit of the discovery is, that whereas the number of weavers, who could find subsistence from their employment, was before limited by the consumption of cloth in the country, that number is now augmented in proportion to the demand for *tea* and for *wine*.—This is the principle of **FOREIGN COMMERCE**.—In
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the magnitude and complexity of the machine, the principle of motion is sometimes lost or unobserved; but it is always simple and the same, to whatever extent it may be diversified and enlarged in its operation.

The effect of trade upon agriculture, the process of which we have been endeavouring to describe, is visible in the neighbourhood of trading towns; and in those districts which carry on a communication with the markets of trading towns.—The husbandmen are busy and skilful; the peasantry labourious; the lands are managed to the best advantage, and double the quantity of corn or herbage (articles which are ultimately converted into human provision) raised from it, of what the same soil yields in remoter and more neglected parts of the country.—Wherever a thriving manufactory finds means to establish itself, a new vegetation springs up around it.—I believe it is true that agriculture never arrives at any considerable, much less at its highest degree of perfection, where it is not connected with trade; that is, where the demand for the produce is not increased by the consumption of trading cities.

It must be here however noticed, that we have all along considered the inhabitants of a country as maintained by the produce of the country: and that what we have said is applicable with strictness to this supposition

alone.—The reasoning, nevertheless, may easily be adapted to a different case; for when provision is not produced, but *imported*, what has been affirmed concerning provision, will be, in a great measure, true of that article, whether it be money, produce, or labour, which is exchanged for provision.—Thus, when the *Dutch* raise madder, and exchange it for corn; or when the people of *America* plant tobacco, and send it to *Europe* for cloth; the cultivation of madder and tobacco become as necessary to the subsistence of the inhabitants, and, by consequence, will affect the state of population in these countries as sensibly as the actual production of food, or the manufactory of raiment.—In like manner, when the same inhabitants of *Holland* earn money by the carriage of the produce of one country to another, and with that money purchase the provision from abroad, which their own land is not extensive enough to supply, the increase or decline of this carrying trade will influence the happiness of the people no less than similar changes would do in the cultivation of the soil.

From the reasoning that has been pursued, and the various considerations suggested in this section, a judgment

ment may, in some sort, be formed, how far regulations of *Law* are in their nature capable of contributing to the support and advancement of happiness.—I say *how far*: for, as in many subjects, so especially in those which relate to commerce, to plenty, and to riches, more is *want* to be *expected* from laws, *than laws can do*.—*Laws* cannot regulate the wants of mankind, their mode of living, or their desire of those superfluities which fashion, more irresistible than laws, has once introduced into general usage, or, in other words, has erected into necessities of life.—*Laws* cannot induce men to enter into marriages, when the expences of a family must deprive them of that system of accommodation to which they have habituated their expectations.—*Laws*, by their protection, by assuring to the labourer the fruit and profit of his labour, may help to make a people industrious; but without industry the laws cannot provide either subsistence or employment: *Laws* cannot make corn grow without toil and care; or trade flourish without art and diligence.—*In spite of Laws*, the expert, laborious, honest workman will be employed, in preference to the lazy, the unskilful, the fraudulent, and evasive: and this is not more true of two inhabitants of the same village, than it is of the people of two different countries, which

communicate either with each other, or with the rest of the world.—The natural basis of trade is rivalry of quality and price; or, which is the same thing, of skill and industry.—Every attempt to *force trade* by operation of law, that is, by compelling persons to buy goods at one market, which they can obtain cheaper and better from another, is sure to be either eluded by the quick-sightedness and incessant activity of private interest, or to be frustrated by retaliation.—One half of the commercial laws of many states are calculated merely to counteract the restrictions which have been imposed by other states.—Perhaps the only way in which the interposition of law is salutary in trade, is in the prevention of frauds.

The principal expedient to encourage *agriculture*, is *to adjust the laws of property*, as nearly as possible, to the following rules:—**First**, To GIVE TO THE OCCUPIER ALL THE POWER OVER THE SOIL WHICH IS NECESSARY FOR ITS PERFECT CULTIVATION;—**Secondly**, To ASSIGN THE WHOLE PROFIT OF EVERY IMPROVEMENT TO THE PERSONS BY WHOSE ACTIVITY IT IS CARRIED ON.

What we call property in land, as hath been observed above, is power over it.—Now it is indifferent to the public

public in whose hands this power resides, *if it be rightly used*: it matters not to whom the land belongs, if it be well cultivated.—When we lament that great estates are often united in the same hand, or complain that one man possesses what would be sufficient for a thousand, we suffer ourselves to be misled by words.—The owner of ten thousand pounds a year *consumes* little more of the produce of the soil than the owner of ten pounds a year.—*If the cultivation be equal, the estate in the hands of one great lord affords subsistence and employment to the same number of persons as it would do if it were divided among a hundred proprietors.*—In like manner, we ought to judge of the effect upon the public interest, which may arise from lands being holden by the king, or by the subject; by private persons, or by corporations; by laymen, or ecclesiastics; in fee, or for life; by virtue of office, or in right of inheritance.—I do not mean that these varieties make no difference, but I mean, that all the difference they do make respects the cultivation of the lands which are so holden.

There exist in this country conditions of tenure, which condemn the land itself to perpetual sterility.—Of this kind is *the right of common*, which precludes each proprietor from the improvement, or even the convenient

ent occupation of his estate, without, what seldom can be obtained, the consent of many others.—This tenure is also usually embarrassed by the interference of ~~mar-~~rial claims, under which it often happens that the surface belongs to one owner and the soil to another; so that neither owner can stir a clod without the concurrence of his partner in the property.—In many instances, the tenant is restrained from granting *leases* beyond a short term of years; which renders every plan of solid improvement impracticable.—In these cases the owner ~~wants~~, what the first rule of rational policy requires, “*Sufficient power over the soil for its perfect cultivation.*” This power ought to be extended to him by some easy and general law of enfranchisement, partition, and enclosure; which, though compulsory upon the lord, or the rest of the tenants, *whilst it has in view the cultivation of the soil*, and tender a equitable compensation for every right that it takes away, is neither more arbitrary, nor more dangerous to the stability of property, than that which is done in the construction of roads, bridges, embankments, navigable canals, and indeed in almost every public work in which private owners of land are obliged to accept that price for their property which an indifferent jury may award.—*It may*

here

there however be proper to observe, that although the inclosure of meadows and pastures be generally beneficial to population, yet the inclosure of lands in tillage, in order to convert them into pastures, is as generally hurtful.

But secondly, agriculture is discouraged by every constitution of landed property, which lets in those who have no concern in the improvement to a participation of the profit.—This objection is applicable to all such customs of manors as subject the proprietor, upon the death of the lord or tenant, or the alienation of the estate, to a fine apportioned to the improved value of the land.—But of all institutions which are in this way adverse to cultivation and improvement, none is so *noxious* as that of TITHES.—A claimant here enters into the produce who contributed no assistance whatever to the production.—When years, perhaps, of care and toil have matured an improvement; when the husbandman sees new crops ripening to his skill and industry, the moment he is ready to put his sickle to the grain, he finds himself compelled to divide his harvest with a stranger.—TITHES are a tax not only upon industry, but upon that industry which feeds mankind; upon that species of exertion which it is the aim of all wise laws to cherish and promote; and to uphold and excite which, composes, as we have seen, the main benefit that

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the community receives from the whole system of trade, the success of commerce.—And, together with the more general inconvenience that attends the exaction of TIT, there is this additional evil, in the mode at least according which they are collected at present, that they operate a bounty upon pasturage.—The burthen of the tax falls, its chief, if not with its whole weight, upon tillage; that is to say, upon that precise mode of cultivation, which, as has been shewn above, it is the business of the state to relieve remunerate, in preference to every other.*

* ARCHDEACON PALEY.



THE
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OR,
POLITICAL EXTRACTS:
BEING
AN ANSWER TO THESE QUESTIONS,

What is the best Form of Government?
AND
What is the best Administration of a Government?

BY A LOVER OF SOCIAL ORDER.

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The rule and conduct of all social life
Is her great province. Not in lonely cells
Obscure she lurks, but holds her *heav'nly light*
To senates and to kings, to guide her councils, &
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CONTINUED.

Other designations

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Technical note, 1923.

SECT. XV.

ON THE CULTIVATION OF WASTE LANDS.

THERE are few things in which the lower classes of people appear to have mistaken their interest so materially as in their uniform opposition to the enclosure of waste lands.—A prejudice has long been entertained by the peasantry, that the enclosure of waste lands is to rob them of a right, and unfeelingly to deprive them of a support, which has been claimed as an inheritance by their ancestors, and immemorially enjoyed by them, without jealousy or molestation; and so deeply is this sentiment ingrafted, that the man who proposes to apply for an act of parliament to enable him to take in a common, is looked upon by the village with an eye of hatred and suspicion.

It may not be totally unprofitable to consider the foundation of this prejudice, and attempt to discover whether it be truth or fallacy.—I shall endeavour to answer one or two of the principal objections, and afterwards make some general observations on the subject.

stance population will always increase ; the cultivation of waste lands would operate like the settlement of a new colony : and in no country does the increase of population bear any proportion to that in a new colony*.—

"The liberal reward of labour always encourages marriage, and joined to the plenty and cheapness of land, the labourers are soon induced to leave their masters, and to reward with equal liberality other labourers, who soon leave them for the same reason that they left their first masters ; the children are well fed and properly taken care of, and when they are grown up, the value of their labour greatly overpays their maintenance †."

This cause, namely, the high price of labour, would operate with equal effect in towns and in the country : men would not leave the former for the latter, unless they were better paid for it ; and they would be better paid for it on account of the scarcity of labourers ; an immediate competition between the country masters and the town masters would ensue ; the consequence of

* It appears that the number of inhabitants in the United States of America has nearly doubled itself within these twenty years, notwithstanding the war. From the last census, taken by order of Congress in the year 1791, it appears that the population amounted to 3,925,253. Vide *Morley's Am. Gen.*

† *Wealth of Nations.*

which,

which, as has been before observed, would be an increase of wages—an increase of population—with an increase of prosperity.—The enclosure of all the waste lands in this kingdom (or of those which are worth cultivation) might perhaps be a temporary check upon manufactures, but could not possibly be of long duration; employments and high wages will always attract and even create labourers.

WE HAVE NOW TO CONGRATULATE OUR COUNTRY ON THE LATE ESTABLISHMENT OF A BOARD OF AGRICULTURE, THE PRESIDENT OF WHICH IS SIR JOHN SINCLAIR, WHOSE PATRIOTIC EXERTIONS ENTITLE HIM TO THE WARMEST PRAISES OF HIS FELLOW CITIZENS, AND OF THE WORLD AT LARGE.—HE HAS BROUGHT A BILL INTO PARLIAMENT FOR A GENERAL ENCLOSURE, THE ADVANTAGES OF WHICH ARE SO OBVIOUS, THAT WE SHOULD BE THUNDER-STRUCK SHOULD PARTY SPIRIT BE ABLE TO REJECT IT!

A POPULOUS NATION IS A GREAT NATION, FROM ITS POWER IN RESISTING CONQUEST, AND FROM ITS ABILITY TO CARRY ON OFFENSIVE WAR.—THE POPULATION, AS WE HAVE SEEN, DEPENDS

UPON THE FOOD RAISED ; THEREFORE TO INCREASE THIS LAST SHOULD BE THE OBJECT OF EVERY WISE GOVERNMENT*.

* Whether POPULATION, as it promotes the *grandeur* of a nation, increases in an equal ratio its *happiness*?—will be the object of consideration in the next chapter. This question was first started by the ingenious and learned Mr. TOWNSEND, in his *Dissertation on the Poor Laws*, and merits the deepest attention of the politician.

SECT. XVI.

ON POPULATION.

IT has been said that the riches of a country consist in the multitude of its inhabitants ; in other words, that **populousness** is the cause of happiness : I am disposed to think that sometimes the direct inverse of this proposition is true.—No doubt rich and flourishing countries are in general populous ; but this only proves that its inhabitants are strongly impelled to early marriages, from the great probability of being able to maintain a family without difficulty ; so that the populousness is the *effect*, and not the cause, of this prosperity.—The object of the present essay, is to notice the effects of population when rendered as intense as possible, to prove that populousness may become excessive, and to point out the remedies that must be adopted to counteract the excess.

We may form some idea of the rapidity with which inhabitants increase, by adverting to what has lately taken place in a country in which the regeneration of manners and institutions has been far from complete. Between the years 1774 and 1782, notwithstanding con-

siderable emigrations from Connecticut to Vermont, to Susquehannah, and other places; notwithstanding the loss of life occasioned by a seven years bloody war; it was found, from an actual census of the inhabitants, taken at these two periods, that the population of New England increased from 197,856 to 209,150, and it is to be observed that no importation of foreigners took place during this time, in consequence of the war*. If less than two hundred thousand men, notwithstanding several accidental impediments, produced an increase of more than 10,000, in so short a space of time as seven years, we may judge of the increase which nine hundred millions, the present population of the world, would produce in a state of society-exempt from these hindrances to marriage.— It must be evident that the period might arrive when the populousness would be excessive.

If we examine the opinions of ancient writers on political œconomy, if we refer to the institutions and manners of ancient nations, we shall find that too great populousness was an evil, of which they not only foresaw the possibility, but against which they had already pro-

* Morse's American Geography, 8vo. edit. p. 244.

vided a remedy.—In *China*, at the remotest period to which their history extends, we learn, that parents either destroyed their infant children, or exported from the country their adult daughters *.—In the island *Fog-sye*, women were forbidden, by the religion of the country, to cohabit with men before the age of thirty-five.—If they proved pregnant before that age, the priestess was ordered by the magistrate to procure abortion †.—In the different states of *Greece*, there seems to have been an anxiety to keep the populousness at a certain standard; the laws took care that the people should never exceed or fall short of the precise number which the produce of the earth would support.—The propagation of the species was encouraged or discouraged by honours, shame, and admonition, exactly as circumstances required ‡.—**PLATO**, in his republic, expressly

* See Dampier's *Voyage*, tom. ii. p. 41.

† Recueil des Voyages qui ont servi a l'établissement de la compagnie des Indes, tom. v. part 1. 182—188.

‡ In the republics of *Greece*, where the territory was small and prosperity great, as was natural, the number of citizens greatly augmented, and became a burthen to the state; therefore they incessantly formed *colonies*; they even hired themselves out as *warriors*, as the *Swiss* do at the present day; indeed nothing was neglected to prevent the increase of birth. The *Gauls*, who were in exactly the same predicament, did exactly the same. **MONTESQUIEU**, tom. iii. p. 16.

limits the number of marriages.—**ARISTOTLE** says, that, if the laws of the country forbid infanticide, adults must be prevented from engendering beyond a certain number.—If they exceed the number defined by the law, he recommends the procuring abortion.

The Papian and Julian laws, made by **AUGUSTUS** for the express purpose of encouraging marriage and punishing celibacy †, were repealed or modified by **CONSTANTINE** ‡.—**THEODOSIUS** the younger abolished the decimary laws, which granted certain advantages to parents, in proportion to the number of their children]. The Papian law recommended second marriages; **JUSTINIAN** rewarded those who did not marry a second time §.

It appears at first sight singular, that Switzerland, the government of which is so much more perfect than that of the petty German princes, should yet imitate their conduct in letting out soldiers for hire.—The reason appears to be, that they do it for the purpose of ridding

* Lib. V. de Repub.

† See the speech of Augustus, at the promulgation of this law, as recorded by Dion. lib. XVI.

‡ Leg. unic. cod. Theod. de infirm. p̄en. cælib. & orbit.

|| Leg. II. & III. cod. Theod. de jur. lib.

§ Nov. 127. ch. III. Nov. 128. ch. V.

themselves

themselves of the redundancy of people, to the propagation of whom their free and equal laws are so favourable.

In the South Seas there is an island, which from the first discoverer is called *Juan Fernandes*.—In this sequestered spot, John FERNANDO placed a colony of goats, consisting of one male, attended by his female.—This happy couple finding pasture in abundance, could readily obey the first commandment, to increase and multiply, till in process of time they had replenished their little island.—In advancing to this period they were strangers to misery and want, and seemed to glory in their numbers: but from this unhappy moment they began to suffer hunger; yet continuing for a time to increase their numbers, had they been endued with reason, they must have apprehended the extremity of famine.—In this situation the weakest first gave way, and plenty was again restored.—Thus they fluctuated between happiness and misery, and either suffered want or rejoiced in abundance, according as their numbers were diminished or increased; never at a stay, yet nearly balancing at all times their quantity of food.—This degree of *equipoise* was from time to time destroyed, either

by

by epidemical diseases, or by the arrival of some vessel in distress.—On such occasions their numbers were considerably reduced ; but to compensate for this alarm, and to comfort them for the loss of their companions, the survivors never failed immediately to meet returning plenty.—They were no longer in fear of famine : they ceased to regard each other with an evil eye ; all had abundance, all were contented, all were happy :—Thus, what might have been considered as misfortunes, proved a source of comfort ; and, to them at least, *partial evil* was *universal good*.

When the Spaniards found that the English privateers resorted to this island for provisions, they resolved on the total extirpation of the goats, and for this purpose they put on shore a greyhound dog and bitch *.—These in their turn increased and multiplied, in proportion to the quantity of food they met with ; but in consequence, as the Spaniards had foreseen, the breed of goats diminished.—Had they been totally destroyed, the dogs likewise must have perished.—But as many of the goats retired to the craggy rocks, where the dogs could never follow them, descending only for short intervals to feed with fear and circumspection in the vallies, few of these,

* **ULLOA**, B. ii. C. 4.

besides

besides the carelefs and the rash, became a prey; and none but the most watchful, strong, and active of the dogs could get a sufficiency of food.—Thus a new kind of balance was established.—The weakest of both species were among the first to pay the debt of nature; the most active and vigorous preserved their lives *.

Whenever the period of excessive populousness arrives in any particular country, unless the inhabitants themselves correct the evil, it will itself produce a remedy; that is to say, certain causes of destruction will necessarily arise.—These are pestilence, famine, and internal warfare, or a contest between man and man for the mere necessities of life.—The inhabitants themselves may prevent the necessity of the existence of these dreadful evils by different methods, but these are only temporary and palliative expedients.

I. One of the *temporary expedients* is, THE PERFECT CULTIVATION OF EVERY INCH OF GROUND.—In fine, the inhabitants of an over-populated country must

* Vide the Rev. Mr. TOWNSEND's *Dissertation on the Poor Laws*, page 39; where these remarkable circumstances are recorded, and a train of most excellent arguments adduced respecting the evils arising from over-population. As these laws are to undergo *revision* in parliament, we shall omit in this edition to treat on them.

not lose a single inch of ground ; their sole study must be to make two ears of corn grow where only one grew before : possibly, by having their labour and their ingenuity always directed to this one object, they may increase that power which the earth possesses, of producing nutritive matter to an almost incredible extent, and make to grow twenty ears of corn where only one grows at present.

However, whether the matter be pushed to this extreme or not, it is evident that all these means of increasing the production of nutritive matter, and preventing its waste when produced, are necessarily *finite* in their operation, and that, if the original causes which produced the over-population continue to exist and to operate, the evil will, when all these means are exhausted, still exist, and at length remedy itself by famine, pestilence, or war.

II. Another *palliative expedient*, in case of over-population, is THE ABSENCE OF EVERY KIND OF LUXURY.—No member of the community must be suffered to consume more than is barely necessary for his subsistence.—Some of the institutions of the Chinese against luxury are worthy of notice.—Our ancestors, said an emperor of the family of TANG, held this maxim, that

if

if a single individual led an idle life; some other person must inevitably feel the consequences, must either starve or go naked*.—The third emperor of the 21st dynasty, being presented with some diamonds, a mine of which had been discovered, instantly returned them, and ordered the mine to be closed, not choosing to have the labour of his people directed to an object that would neither furnish them with food nor clothing†.—Our luxury is so great, said KIAYVENTO, that many people are employed in ornamenting shoes.—If many persons are employed in making clothes for one man, many men must go naked.—If only one man tills the earth, and nine consume its productions, without labouring at all, it follows that many men must starve ‡.—In consequence of institutions, founded on such principles as these, luxury is almost annihilated in China: when a man marries, he allows his wife a quantity of rice for food, and some raw cotton to be worked into clothing, while two or three mats constitute the whole furniture of his house.

There is no doubt but that the entire absence of luxury, as well as the entire cultivation of the earth, would

* Du Halde, t. ii. p. 497.

† Idem, t. i.

‡ Idem, t. ii. p. 418.

have a very extensive operation.—At present, men probably eat and drink twice as much as they have real occasion for.—The productive power of the earth would be directed to the production of that species of nutriment which grows in the greatest quantity, and with the least labour; vines and olives must be rooted up, even corn must not be spared, rice and potatoes must be the only articles of culture.—There is no doubt that a country which, in the present state of things, would not admit of a greater population than ten millions, might be made to supply clothing, habitation, and food, for thirty millions, if every inch of ground was cultivated in the best possible manner, and if no unnecessary consumption of its produce took place: but it is equally clear, that if the populousness still goes on to increase, the time will come when these remedies will be found to be mere palliative expedients.

III. A country in this situation must imitate the example of the bees, and **EMIT A SWARM**.—Without dwelling on the enormities and crimes, with which colonisation has in almost every instance been attended*.

* Reflect only on the colonisation of South America by the Spaniards, in the progress of which, the natives were hunted down by dogs, as if they were wild beasts.

it will be sufficient to observe that this is also an expedient merely palliative.—This must be clear when we reflect that the same causes which over-populated the mother country continuing to operate, repeated emigrations of colonists must take place, till the whole world would swarm with people, and no one country could get rid of its exuberance by throwing it on another, since no other would be able to receive it.—No doubt, the period when colonisation must of necessity cease is at a great distance, but every one must see the possibility of its arrival.

The populousness of *China* has been already adverted to in the course of this Section.—The inhabitants have adopted the two expedients first mentioned ; they have cultivated the earth to the utmost, and they have banished luxury.—It should seem then that when these were found to fail, they ought to have had recourse to the third.—Actuated by an astonishing spirit of nationality, the Chinese do never emigrate : to a limited extent infanticide is practised, but even this is not sufficient * ; famine and pestilence, every six or seven years, come in

* See *Lettres* éd. 21 Recueil.

to correct an evil which the emission of *swarms* would at least have retarded.

Let those who contend that **POPULOUSNESS** is the greatest blessing a country can enjoy, contemplate its *effects* in *China* ;—in *China*, where it is pushed to its greatest extent, which is the most populous country in the universe, and which, if populousness were a real blessing, ought to be the most happy ;—in *China*, where the putrid carcases of dogs, cats, and vermin, are sought with avidity to sustain the lives of wretches who are born only to be starved ;—in *China*, which is continually exposed to the almost inexpressible horrors of famine ; a state in which selfishness universally prevails, in which the parent refuses part of that nourishment he has been so fortunate to acquire, to his starving child ; in which, the child refuses to hear the supplication of his famished parent ; or to pestilence, during which the unfortunate object, abandoned by his nearest connections and dearest friends, after dragging his already putrid carcase from door to door, dies, unheeded, in the street.

I have spoken of the three palliative expedients which may be adopted in the case of over-populousness : the *entire cultivation of the earth*, the *annihilation of lux-*

way, and a general spread of people over the whole earth, by *colonisation*, which will for ages prevent populousness from becoming excessive.

WHILE THE AFFAIRS OF THIS WORLD ARE MANAGED AS THEY ARE AT PRESENT IN EUROPE, IT IS THE RARITY, RATHER THAN THE INTENSITY, OF POPULATION WHICH WE HAVE TO GUARD AGAINST: WHILE MEN CHOOSE TO PAMPER THEIR BODIES, LESSEN THEIR VIGOUR, AND SHORTEN THEIR LIVES, BY DAILY INTEMPERANCE, BY DAILY INDULGING IN THE DAINTIES OF THE EAST AND WEST, RANSACKING BOTH HEMISPHERES FOR THEIR MOST ORDINARY DIET AND CLOTHING; WHILE THEY COMMUNICATE THEIR OWN DISEASES, AND RECEIVE THOSE OF OTHER COUNTRIES IN BALES OF MERCHANTIZE; WHILE THE IMPERFECT STATE OF MEDICINE PRESENTS SO PIGMY A lance, SO WEAK A BUCKLER, AGAINST DISORDERS; WHILE URGED BY COMMERCIAL SPECULATION MEN ARE CONTENT TO PERISH BY HUNDREDS ON UNKNOWN SEAS; AND WHILE SLAVES TO AN IMPERIOUS DESPOTISM THEY ARE WILLING TO HAVE THEIR THROATS CUT BY THOUSANDS

SANDS AT THE BECK OF A FEW INDIVIDUALS; WHILE SERVANTS LOSE THEIR BREAD WHO MARRY; THERE IS NOT MUCH REASON TO APPREHEND THAT POPULOUSNESS WILL BECOME EXCESSIVE *.

WE IN THIS ISLAND HAVE STILL LESS REASON TO FEAR A SUPERABUNDANT POPULATION THAN ANY OTHER PEOPLE OF THE EARTH.—OUR COMMERCE, WHICH EMPLOYS MEN AT SEA, AND KEEPS THEM IN CELIBACY, AND DESTROYS SO MANY BRAVE LIVES; OUR MANUFACTURES, THE BANE OF MORALS AND OF HEALTH; BUT, ABOVE ALL, OUR NUMEROUS COLONIES, PREVENT THE ARRIVAL OF SUCH EVILS, THE POSSIBILITY OF WHICH WAS ALONE EXPATIATED ON.

* The Cabinet.

SECT.

SECT. XVII.

OF CRIMINAL JURISPRUDENCE.

*The proper end of human punishment is, not the satisfaction of justice, but the prevention of crimes.—By the satisfaction of justice, I mean the distribution of so much pain for so much guilt; which is the dispensation we expect at the hand of God, and which we are accustomed to consider as the order of things that perfect justice dictates and requires.—In what sense, or whether with truth in any sense, justice may be said to demand the punishment of offenders, I do not now inquire; but I assert that this *demand* is not the *motive or occasion of human punishment*.—What would it be to the magistrate that offences went altogether unpunished, if the impunity of the offenders were followed by no danger or prejudice to the commonwealth?—The fear lest the escape of the criminal should encourage him, or others by his example, to repeat the same crime, or to commit different crimes, is the sole consideration which authorizes the infliction of punishment by human laws—Now that, whatever it be, which is the cause and end*

of

of the punishment, ought undoubtedly to regulate the measure of its severity.—But this cause appears to be founded, not in the *guilt of the offender*, but in the *necessity of preventing the repetition of the offence*.—And from hence results the reason, that crimes are not by *any government* punished in *proportion* to their guilt, nor in all cases ought to be so, but in proportion to the *difficulty* and the *necessity of preventing them*.—Thus the stealing of goods privately out of a *shop* may not, in its moral quality, be more criminal than the stealing of them out of a *house*; yet, being equally necessary, and more difficult to be prevented, the law, in certain circumstances, denounces against it a severer punishment.—*The crime must be prevented by some means or other*; and consequently, whatever means appear *necessary to this end*, whether they be *proportionable* to the *guilt of the criminal or not*, are adopted *rightly*, because they are *adopted upon the principle which alone justifies the infliction of punishment at all*.—From the same consideration it also follows, that punishment ought not to be employed, much less rendered severe, when the crime can be prevented by any other means.—*Punishment is an evil to which the magistrate resorts only from its being necessary to the prevention of a greater*.—This necessity does not exist, when the

may be attained ; that is, when the public may be
shielded from the effects of the crime by any other ex-
tent.—The sanguinary laws which have been made
against counterfeiting or diminishing the gold coin of
the kingdom might be just, until the method of detecting
the fraud, by weighing the money, was introduced
into general usage.—Since that *precaution* was practised,
laws have slept : and an execution under them at
any day would be deemed a measure of unjustifiable se-
verity.—The same principle accounts for a circumstance,
which has been often censured as an absurdity in the
laws of this, and of most modern nations, namely,
that breaches of trust are either not punished at all, or
are punished with less rigour than other frauds.—Wherefore
some have asked, that a violation of confidence, which
assumes the guilt, should mitigate the penalty ?—This leniency,
or rather forbearance of the laws, is founded in
most reasonable distinction.—A due circumspection
in the choice of the persons whom they trust ; caution
in limiting the extent of that trust ; or the requiring of
sufficient security for the faithful discharge of it, will
most surely guard men from injuries of this description :
but the law will not interpose its sanctions, to protect negligi-
: and credulity, or to supply the place of domestic care.

and prudence.—To be convinced that the law proceeds entirely upon this consideration, we have only to observe, that, where the *confidence is unavoidable*, where no practicable vigilance could watch the offender, as in the case of theft committed by a servant in the shop or dwelling-house of his master, or upon property to which he must necessarily have access, *the sentence of the law is not less severe, and its execution commonly more certain and rigorous, than if no trust at all had intervened.*

It is in pursuance of the *same principle*, which pervades indeed the whole system of penal jurisprudence, *that the facility with which any species of crimes is perpetrated, has been generally deemed a reason for aggravating the punishment.*—Thus, sheep-stealing, horse-stealing, the stealing of cloth from tenters, or bleaching grounds, by our laws, subject the offenders to sentence of *death*: not that these crimes are in their nature more heinous, than many simple felonies which are punished by imprisonment or transportation, *but because the property being more exposed, requires the terror of capital punishment to protect it.*—This severity would be absurd and unjust, if the guilt of the offender were the immediate cause and measure of the punishment; but is a consistent and regular consequence of the supposition, that the right

of

of punishment results from the necessity of *preventing* the crime : for if this be the end proposed, the severity of the punishment must be increased in proportion to the expediency and the difficulty of attaining this end ; that is, in a proportion compounded of the mischief of the crime, and of the ease with which it is executed.—The *difficulty of discovery* is a circumstance to be included in the same consideration.—It constitutes indeed, with respect to the crime, the facility of which we speak.—*By how much therefore the detection of an offender is more rare and uncertain, by so much the more severe must be the punishment, when he is detected.*—*Thus the writing of incendiary letters, though in itself a pernicious and alarming injury, calls for a more condign and exemplary punishment, by the very obscurity with which the crime is committed.*

From the justice of GOD we are taught to look for a *gradation of punishment*, exactly proportioned to the guilt of the offender : when therefore, in assigning the degrees of human punishment, we introduce considerations distinct from that guilt, and a proportion so varied by external circumstances, that *equal crimes frequently undergo unequal punishments, or the less crime the greater* ; it is natural to demand the reason why a different mea-

sure of punishment should be expected from GOD, and observed by men; why that rule, which befits the absolute and perfect justice of the DEITY, should not be the rule which ought to be pursued and imitated by human laws.—The solution of this difficulty must be sought for in those peculiar attributes of the divine nature, which distinguish the dispensations of supreme wisdom from the proceedings of human judicature.—A BEING WHOSE KNOWLEDGE PENETRATES EVERY CONCEALMENT; FROM THE OPERATION OF WHOSE WILL NO ART OR SLIGHT CAN ESCAPE; AND IN WHOSE HANDS PUNISHMENT IS SURE; SUCH A BEING MAY CONDUCT THE MORAL GOVERNMENT OF HIS CREATION, IN THE BEST AND WISEST MANNER, BY PRONOUNCING A LAW THAT EVERY CRIME SHALL FINALLY RECEIVE A PUNISHMENT PROPORTIONED TO THE GUILT WHICH IT CONTAINS, abstracted from any foreign consideration whatever: and may testify his veracity to the spectators of his judgments, by carrying this law into strict execution.—But when the care of the public safety is entrusted to *men*, whose *authority* over their fellow creatures is *limited* by *defects of power and knowledge*; from whose *utmost vigilance and sagacity* the *greatest offenders often lie hid*;

whose wisest precautions and speediest pursuit may be eluded by artifice or concealment ; a different necessity, a new rule of proceeding results from the very imperfection of their faculties.—In their hands the uncertainty of punishment must be compensated by the severity.—The ease with which crimes are committed or concealed, must be counteracted by additional penalties and increased terrors.—The very end for which human government is established, requires that its regulations be adapted to the suppression of crimes.—This end, whatever it may do in the plans of Infinite Wisdom, does not, in the designation of temporal penalties, always coincide with the proportionate punishment of guilt.

There are two methods of administering penal justice.

The first method assigns capital punishments to few offences, and inflicts it invariably.

The second method assigns capital punishments to many kinds of offences, but inflicts it only upon a few examples of each kind.

The latter of which two methods has been long adopted in this country, where, of those who receive sentence of death, scarcely one in ten is executed.—And the preference of this to the former method seems to be founded

ed in the consideration, that the selection of proper objects for capital punishment principally depends upon circumstances, which, however easy to perceive in each particular case after the crime is committed, it is impossible to enumerate or define beforehand; or to ascertain however with that exactness, which is requisite in legal descriptions.—Hence, although it be necessary to fix, by precise rules of law, the boundary on one side; that is, the limit to which the punishment may be extended, and also that nothing less than the authority of the whole legislature be suffered to determine that boundary, and assign these rules; yet the mitigation of punishment, the exercise of lenity, may, without danger, be entrusted to the executive magistrate, whose discretion will operate upon those numerous, unforeseen, mutable, and indefinite circumstances, both of the crime and the criminal, which constitute or qualify the malignity of each offence.—Without the power of relaxation lodged in a living authority, either some offenders would escape capital punishment, whom the public safety required to suffer; or some would undergo this punishment, where it was neither deserved nor necessary.—For if judgment of death were reserved for one or two species of crimes only, which would probably be the case, if that judgment was intended to be executed without exception,

ception, crimes might occur of the most dangerous example, and accompanied with circumstances of heinous aggravation; which did not fall within any description of offences that the laws had made capital, and which consequently could not receive the punishment their own malignity and the public safety required.—What is worse, it would be known beforehand, that such crimes might be committed without danger to the offender's life.—On the other hand, if, to reach these possible cases, the whole class of offences to which they belong be subjected to pains of death, and no power of remitting this severity remain any where, the execution of the laws will become more sanguinary than the public compassion would endure, or than is necessary to the general security.

The LAW OF ENGLAND is constructed upon a different and a better policy.—*By the number of statutes creating capital offences, it sweeps into the net every crime, which under any possible circumstances may merit the punishment of death: but when the execution of this sentence comes to be deliberated upon, a small proportion of each class are singled out, the general character, or the peculiar aggravations of whose crimes, render them fit examples of public justice.—By this expedient few actually suffer death, whilst the dread and danger of it hang over the crimes of many.*

many.—The tenderness of the law cannot be taken advantage of.—The life of the subject is spared, as far as the necessity of restraint and intimidation permits, *yet no one will adventure upon the commission of any enormous crime, from a knowledge that the laws have not provided for its punishment.*—The wisdom and humanity of this design furnish a *just excuse* for the *multiplicity of capital offences*, which the laws of England are accused of creating beyond those of other countries.—The charge of *cruelty* is answered by observing, that these laws were never meant to be carried into *indiscriminate execution*; that the legislature, when it establishes its last and highest sanctions, trusts to the *benignity of the crown to relax their severity*, as often as circumstances appear to palliate the offence, *or even as often as those circumstances of aggravation are wanting*, which render this *rigorous interposition* necessary.—Upon this plan it is enough to vindicate the lenity of the laws, that some instances are to be found in each class of capital crimes, which require the restraint of capital punishment; and that this restraint could not be applied, without subjecting the whole class to the same condemnation.

There is however one species of crimes, the making of which *capital* can hardly, I think, be defended, even upon

upon the comprehensive principle just now stated; I mean that of *privately stealing* from the person.—As every degree of force is excluded by the description of the crime, it will be difficult to assign an example, where either the amount or circumstances of the theft place it upon a level with those dangerous attempts, to which the punishment of death should be confined.—It will be still more difficult to shew, that, without gross and culpable negligence on the part of the sufferer, such examples can ever become so frequent, as to make it necessary to constitute a class of capital offences, of very wide and large extent.

The prerogative of pardon is properly reserved to the chief magistrate.—The power of suspending the laws is a privilege of too high a nature to be committed to many hands, or to those of any inferior officer in the state.—The king also can best collect the advice by which his resolutions should be governed; and is at the same time removed at the greatest distance from the influence of private motives.—But let this power be deposited where it will, the exercise of it ought to be regarded, not as a favour to be yielded to solicitation, granted to friendship, or, least of all, to be made subservient to the conciliating or gratifying of political attachments, *but as a judicial*

dicial act; as a deliberation to be conducted with the same character of impartiality, with the same exact and diligent attention to the proper merits and circumstances of the case, as that which the judge upon the bench was expected to maintain and shew in the trial of the prisoner's guilt.—*The questions whether the prisoner be guilty, and whether, being guilty, he ought to be executed, are equally questions of public justice.*—The adjudication of the latter question is as much a function of magistracy as the trial of the former.—The public welfare is interested in both.—The conviction of an offender should depend upon nothing but the proof of his guilt, nor the execution of the sentence upon any thing beside the quality and circumstances of his crime.—It is necessary to the good order of society, and to the reputation and authority of government, that this be known and believed to be the case in each part of the proceeding.

Aggravations which ought to guide the magistrate in the *selection of objects of condign punishment* are principally these three—*repetition, cruelty, combination.*—The two first, it is manifest, add to every reason upon which the justice or the necessity of rigorous measures can be founded; and, with respect to the last circumstance, it may be observed, that when thieves and robbers are

once

once collected into gangs, their violence becomes more formidable, the confederates more desperate, and the difficulty of defending the public against their depredations much greater, than in the case of solitary adventurers.—Which several considerations compose a distinction, that is properly adverted to, in deciding upon the fate of convicted malefactors.

In crimes, however, which are perpetrated by a multitude, or by a gang, it is proper to separate, in the punishment, the *ring-leader from his followers*, the principal from his accomplices, and *even the person who struck the blow, broke the lock, or first entered the house, from those who joined him in the felony*; not so much on account of any distinction in the guilt of the offenders, as for the sake of casting an obstacle in the way of such confederacies, by rendering it difficult for the confederates to settle who shall begin the attack, or to find a man amongst their number willing to expose himself to greater danger than his associates.—This is another instance in which the punishment, which expediency directs, does not pursue the exact proportion of the crime.

Injuries effected by *terror* and *violence*, are those which it is the first and chief concern of legal government to

reprefs; because, their extent is unlimited; because, no private precaution can protect the subject against them; because, they endanger life and safety, as well as property; and lastly, because they render the condition of society wretched, by a sense of personal insecurity.—These reasons do not apply to frauds, which circumspection may prevent; which must wait for opportunity; which can proceed only to certain limits; and, by the apprehension of which, although the business of life be incommoded, life itself is not made miserable.—The appearance of this distinction has led some humane writers to express a wish, that capital punishments might be confined to crimes of violence.

In estimating the comparative malignancy of crimes of violence, regard is to be had, not only to the proper and intended mischief of the crime, but to the fright occasioned by the attack, to the general alarm excited by it in others, and to the consequences which may attend future attempts of the same kind.—Thus in affixing the punishment of *burglary*, or of breaking into dwelling-houses by night, we are to consider not only the peril to which the most valuable property is exposed by this crime, and which may be called the direct mischief of it, but the danger also of murder in case of re-

*instance, or for the sake of preventing discovery, and the universal dread with which the *silent and defenceless hours of rest and sleep* must be disturbed, were attempts of this sort to become frequent; and which *dread* alone, even without the mischief which is the object of it, is not only a public evil, but almost of all evils the most insupportable.*—These circumstances place a difference between the breaking into a dwelling-house by day, and by night; which difference obtains in the punishment of the offence by the law of Moses, and is probably to be found in the judicial codes of most countries, from the earliest ages to the present.

Of frauds, or of injuries which are effected *without force*, the most noxious kinds are *forges*, *counterfeiting* or *diminishing* of the *coin*, and the *stealing of letters* in the course of their conveyance; inasmuch as *these practices tend to deprive the public of accommodations*, which not only improve the conveniences of social life, but are essential to the prosperity, and even the existence of commerce.—Of these crimes it may be said, that, although they seem to affect property alone, the mischief of their operation does not terminate there.—For let it be supposed, that the remissives or lenity of the laws should, in any country, suffer offences of this sort to

grow

grow into such a frequency, as to render the use of money, the circulation of bills, or the public conveyance of letters no longer safe or practicable; what would follow, but that every species of trade and of activity must decline under these discouragements; the sources of subsistence fail, by which the inhabitants of the country are supported; the country itself, where the intercourse of civil life was so endangered and defective, be deserted; and that, beside the distress and poverty, which the loss of employment would produce to the industrious and valuable part of the existing community, a rapid depopulation must take place, each generation becoming less numerous than the last, till solitude and barrenness overspread the land; until a desolation similar to what obtains in many countries of Asia, which were once the most civilized and frequented parts of the world, succeeded in the place of crowded cities, of cultivated fields, of happy and well-peopled regions.—When we carry forwards, therefore, our views to the more distant, but not less certain consequences of these crimes, we perceive that, though no living creature be destroyed by them, yet human life is diminished; that an offence, the particular consequence of which deprives only an individual of a small portion of his property,

and

d which even in its general tendency seems to do nothing more than to obstruct the enjoyment of certain public conveniences, may nevertheless, by its ultimate effects, conclude in the laying waste of human existence. -This observation will enable those, who regard the ~~wise~~ rule of " life for life, and blood for blood," as the only authorised and justifiable measure of capital punishment, to perceive, with respect to the effects and quality of the actions, a greater resemblance than they suppose to exist, between certain atrocious frauds, and ~~these~~ crimes which attack personal safety.

In the case of *forgeries* there appears a substantial difference, between the forging of bills of exchange, or of securities which are circulated, and of which the circulation and currency are found to serve and facilitate valuable purposes of commerce, and the forging of bonds, leases, mortgages, or of instruments which are not commonly transferred from one hand to another; because, in the former case credit is necessarily given to the signature; and, without that credit, the negotiation of such property could not be carried on, nor the public utility sought from it be attained; in the other case, all possibility of deceit might be precluded, by a direct communication

munication between the parties, or by due care in the choice of their agents, with little interruption to business, and without destroying, or much incumbering, the uses for which these instruments are calculated.—This distinction, I apprehend to be not only real, but precise enough to afford a line of division between forgeries, which, as the law now stands, are almost universally capital, and punished with undistinguishing severity.

Perjury is another crime of the same class and magnitude.—And, when we consider what reliance is necessarily placed upon oaths; that all judicial decisions proceed upon testimony; that consequently there is not a right, that a man possesses, of which false witnesses may not deprive him; that reputation, property, and life itself lie open to the attempts of perjury; that it may often be committed without a possibility of contradiction or discovery; that the success and prevalence of this vice tend to introduce the most grievous and fatal injustice into the administration of human affairs, or such a distrust of testimony as must create universal embarrassment and confusion; when we reflect upon these mischiefs, we shall be brought, probably, to agree with the opinion of those, who contend that perjury, in its punishment,

ment, especially that which is attempted in solemn evidence, and in the face of a court of justice, should be placed upon a level with the most flagitious frauds.

The obtaining of money by *secret threats*, whether we regard the difficulty with which the crime is traced out, the odious imputations to which it may lead, or the profligate conspiracies that are sometimes formed to carry it into execution, deserves to be reckoned amongst the worst species of robbery.

The frequency of capital executions in this country, owes its necessity to three causes—*much liberty, great cities, and the want of a punishment, short of death, possessing a sufficient degree of terror.*—And if the taking away of the life of malefactors be more rare in other countries than in ours, the reason will be found in some difference in these articles.—The liberties of a free people, and still more the jealousy with which these liberties are watched, and by which they are preserved, *permit not those precautions and restraints, that inspection, scrutiny, and control, which are exercised with success in arbitrary government.*—For example, neither the spirit of the laws, nor of the people, will suffer the detention or confinement of *suspected persons*, without proofs of their guilt, which it is often impossible to obtain; nor will

they allow that masters of families be obliged to record and render up a description of the strangers or inmates whom they entertain ; nor that an account be demanded, at the pleasure of the magistrate, of each man's time, employment, and means of subsistence ; nor securities to be required when these accounts appear unsatisfactory or dubious ; nor men to be apprehended upon the mere suggestion of idleness or vagrancy ; nor to be confined to certain districts ; nor the inhabitants of each district to be made responsible for one another's behaviour ; nor passports to be exacted from all persons entering or leaving the kingdom : least of all will they tolerate the appearance of an armed force, or of military law ; or suffer the streets and public roads to be guarded and patrolled by soldiers ; or, *lastly, entrust the police with such discretionary powers, as may make sure of the guilty, however they involve the innocent.*—These expedients, although arbitrary and rigorous, are many of them effectual ; and in proportion as they render the commission or concealment of crimes more difficult, they substract from the necessity of severe punishment.—Great cities multiply crimes by presenting easier opportunities and more incentives to libertinism, which in low life is commonly the introductory stage to other enormities ;

enormities ; by collecting thieves and robbers into the same neighbourhood, which enables them to form communications and confederacies, that increase their art and courage, as well as strength and wickedness ; but principally by the refuge they afford to villainy, in the means of concealment, and of subsisting in secrecy, which crowded towns supply to men of every description.—These temptations and facilities can only be counteracted by adding to the number of capital punishments.—But a *third cause*, which increases the frequency of capital executions in England, is a defect of the laws in not being provided with any other punishment than that of death, sufficiently terrible to keep offenders in awe.—*Transportation*, which is the sentence second in the order of severity, appears to me to answer the purpose of example very imperfectly ; not only because exile is in reality a *slight punishment* to those, who have neither property, nor friends, nor reputation, nor regular means of subsistence at home ; and because their situation becomes little worse by their crime, than it was before they committed it ; but because the punishment, whatever it be, is unobserved and unknown.—*A transported convict may suffer under his sentence, but his sufferings are removed from the view of his countrymen* : his mi-

terry is unseen ; his condition strikes no terror into the minds of those, for whose warning and admonition it was intended.—This chasm in the scale of punishment produces also two further imperfections in the administration of penal justice : the first is, that the same punishment is extended to crimes of very different character and malignity ; the second, that punishments separated by a great interval, are assigned to crimes hardly distinguishable in their guilt and mischief.*

* PALEY.

SECT.

SECT. XVIII.

THE SAME SUBJECT CONTINUED, BUT PLACED IN
ANOTHER POINT OF VIEW.

IT is clear, that the right of punishing crimes against the law of nature, as murder and the like, is in a state of mere nature, vested in every individual.—For it must be vested in somebody; otherwise the laws of nature would be vain and fruitless, if none were empowered to put them in execution: and if that power is vested in any one, it must also be vested in all mankind;—since all are by nature equal; of which the first murderer Cain was so sensible, that we find him expressing his apprehensions, that whoever should find him would slay him.—In a state of society this right is transferred from individuals to the sovereign power; whereby men are prevented from being judges in their own causes, which is one of the evils that civil government was intended to remedy.—Whatever power, therefore, individuals had of punishing offences against the laws of nature, that is now

it is lawful to deter them at any rate, and by any means; since there may be unlawful methods of enforcing obedience even to the justest laws.—Every humane legislator will be therefore extremely cautious of establishing laws that inflict the penalty of *death*, especially for slight offences, or such as are merely positive.—He will expect a better reason for his so doing, than that loose one which generally is given; that it is found by former experience that no lighter penalty will be effectual.—For is it found upon farther experience, that capital punishments are more effectual?—Was the vast territory of all the Russias worse regulated under the late empress ELIZABETH, than under her more sanguinary predecessor?—Is it now, under CATHERINE II. less civilized, less social, less secure? And yet we are assured, that neither of these illustrious princesses have, throughout their whole administration, inflicted the penalty of *death*: and the latter has, upon full persuasion of its being useless, nay even pernicious, given orders for abolishing it entirely throughout her extensive dominions.

Upon the whole, we may observe, that punishments of unreasonable severity, especially when indiscriminately inflicted, have less effect in preventing crimes, and amending the manners of a people, than such as are

more merciful in general, yet properly intermixed with due distinctions of severity.—It is the sentiment of an ingenious writer, who seems to have well studied the springs of human action, that crimes are more effectually prevented by the certainty than by the severity of punishment; for the excessive severity of laws (says MONTESQUIEU) hinders their execution.—When the punishment surpasses all measure, the public will frequently prefer impunity to it.—Thus also the statute 1 Mar. st. 1. c. 1. recites in its preamble, “ that the state of every king consists more assuredly in the love of the subject towards their prince, than in the dread of laws made with rigorous pains; and that laws made for the preservation of the commonwealth without great penalties, are more often obeyed and kept, than laws made with extreme punishments.”—Happy had it been for the nation if the subsequent practice of that deluded prince in matters of religion, had been correspondent to these sentiments of herself and parliament in matters of state and government! We may further observe, that sanguinary laws are a bad symptom of the distemper of any state, or at least of its weak constitution.—The laws of the Roman kings, and the twelve tables of the *decemviri*, were full of cruel punishments: the Porcian law,

which exempted all citizens from sentence of death, silently abrogated them all.—In this period the republic flourished: under the emperors severe punishments were revived, and then the empire fell.

It is, moreover, absurd and impolitic to apply the same punishment to crimes of different malignity.—A multitude of sanguinary laws (besides the doubt that may be entertained concerning the right of making them) do likewise prove a manifest defect either in the wisdom of the legislative, or the strength of the executive, power.—It is a kind of quackery in government, and argues a want of solid skill, to apply the same universal remedy, the *ultimum supplicium*, to every case of difficulty.—It is, it must be owned, much easier to extirpate than to amend mankind; yet that magistrate must be esteemed both a weak and a cruel surgeon, who cuts off every limb which through ignorance or indolence he will not attempt to cure.—It has been therefore ingeniously proposed, that in every state a scale of crimes should be formed, with a corresponding scale of punishments, descending from the greatest to the least.—But if that be too romantic an idea, yet at least a wise legislator will mark the principal divisions, and not assign penalties of the first degree to offences of an inferior rank.

rank.—Where men see no distinction made in the nature and gradations of punishment, the generality will be led to conclude there is no distinction in the guilt.—Thus in France the punishment of robbery, either with or without murder, is the same: hence it is, that though perhaps they are therefore subject to fewer robberies, yet they seldom rob but they also murder.—In China murderers are cut to pieces, and robbers not: hence in that country they never murder on the highway, though they often rob.—And in Britain, besides the additional terrors of a speedy execution, and a subsequent exposure or dissection, robbers have a hope of transportation, which seldom is extended to murderers.—This has the same effect here as in China, in preventing frequent assassination and slaughter.

But indeed, were capital punishments proved by experience to be a sure and effectual remedy, that would not prove the necessity (upon which the justice and propriety depend) of inflicting them upon all occasions when other expedients fail.—It is feared this reasoning would extend a great deal too far.—For instance, the damage done to our public roads by loaded waggons is universally allowed, and many laws have been made to prevent it, none of which have hitherto proved effectual.

K k 2

—But

—But it does not therefore follow, that it would be just for the legislature to inflict death upon every obstinate carrier, who defeats or eludes the provisions of former statutes.—Where the evil to be prevented is not adequate to the violence of the preventive, a sovereign that thinks seriously can never justify such a law to the dictates of conscience and humanity.—To shed the blood of our fellow-creature is a matter that requires the greatest deliberation, and the fullest conviction of our own authority: for life is the immediate gift of God to man; which neither he can resign, nor can it be taken from him, unless by the command or permission of him who gave it, either expressly revealed, or collected from the laws of nature or society by clear and indisputable demonstration.

Yet though we may glory in the wisdom of our constitution, we shall find it difficult to justify the frequency of capital punishment, inflicted (perhaps inattentively) by a multitude of successive independent statutes, upon crimes very different in their natures.—It is a melancholy truth, that among the variety of actions which men are daily liable to commit, no less than 160 have been declared by acts of parliament to be felonies without benefit of clergy; or, in other words, to be worthy of instant death.—So

dreadful a list, instead of diminishing, increases the number of offenders.—The injured, through compassion, will often forbear to prosecute; juries, through compassion, will sometimes forget their oaths, and either acquit the guilty or mitigate the nature of the offence; and judges, through compassion, will respite one half of the convicts, and recommend them to the royal mercy.—Among so many chances of escaping, the needy and hardened offender overlooks the multitude that suffer: he boldly engages in some desperate attempt to relieve his wants or supply his vices; and if unexpectedly the hand of justice overtakes him, he deems himself peculiarly unfortunate in falling at last a sacrifice to those laws which long impunity has taught him to contemn.

The severity of punishment is also one great reason why crimes of an inferior class, with respect to enormity, are in a more peculiar manner felt as national evils *.

It will scarcely be credited by those, whose habits of life do not permit them to enter into discussions of this sort, that by the laws of England, there are above one hundred and sixty different offences which subject the

Vide an excellent Treatise on the Police, by a Magistrate.

parties

parties who are found guilty, to the punishment of death without benefit of clergy.

It requires little penetration to be convinced that a criminal code, so sanguinary in its provisions, must in the nature of things defeat those ends, the attainment of which ought to be the object of all law, namely, *the prevention of crimes*.

It is only necessary to examine, with a little attention, the modern history of the *criminal prosecution, trials, acquittals, and pardons, in this country**, in order

10

* Discharged from Newgate in 1786 — 575	1791 — 584
1787 — 611	1792 — 804
1788 — 543	1793 — 703
1789 — 614	1794 — 644
1790 — 532	1795 — 578
	—————
2874	3312
	—————
	2874
	—————
	Total prisoners 6186

Since the first institution of the Hulks in 1776, there have been discharged from Woolwich, Portsmouth, and Langston Harbour, two thousand five hundred and thirty convicts.

Viz. 1. By expiration of punishment	—	1650
2. By pardons,	—	790
3. By escapes,	—	130
	—————	
Total		2530

1. Discharged

completely convinced that one great cause of the
five increase of crimes and criminal delinquents,
from the single circumstance of such a multitude
of offences being liable to the punishment of

the Roman empire never flourished so much as
in the era of the Portian law, which abrogated the
penalty of death for all offences whatsoever.—When
punishments and an incorrect police were after-
revived, as we before observed, the empire fell.

It is not meant, however, to be insinuated that this
should be, altogether, a proper system of criminal juris-
diction to be adopted in modern times.

Argued by proclamation and gaol-deliveries; having been com-
mitted in consequence of being charged with various offences, for
which bills were not found by the grand jury, or where the prosecu-
tors did not appear to maintain and support the charges, - - - 5592

Argued by acquittals, in the different courts; (frequently from
the defendants availing themselves of the defects of the law,—from frauds
in keeping back evidence, and other devices), - - - - - 2962

Defendants discharged from the different gaols, after suffering the
penalty of imprisonment, &c. inflicted on them for their sev-
erities, - - - - - 2484

Defendants discharged and escaped from the Hulks at Woolwich,
Southwark, and Langston, - - - - - 896

Total 11,934

In the present state of society it may be thought indispensably necessary, that offences, which in their nature are highly injurious to the public, and where no mode of prevention can be established, should be punished by the forfeiture of life; but these dreadful examples should be exhibited as seldom as possible; for while on the one hand, such punishments often defeat the ends of justice, by their not being carried into execution: so on the other, by being often repeated, they lose their effect upon the minds of the people.

If it were possible to form a scale of offences with a corresponding punishment applicable to each, ascending from the slightest misdemeanor, in progressive gradation to the highest crimes of forgery, arson, murder, and treason, the guilty would not so frequently escape the punishment of the law; and the numerous hordes of thieves and cheats who are daily committed for slighter offences, would not, as at present, be set at liberty either by goal-deliveries or by acquittals.

This idea has been already suggested by an author of the highest reputation *, and certainly merits attention; as it is hoped those suggestions do which will be submitted to the consideration of the public, for the improve-

* BACCARIA, cap. 6.

ment

ment of the police of the metropolis, and of the country at large, in the next section.—For certain it is, that however much we glory (and we ought to glory) in the excellence of our constitution, yet there is no truth more clear and obvious than this ;—“ That our code “ exhibits too much the appearance of a heterogeneous “ mass, concocted too often on the spur of the occasion “ (as Lord BACON expresses it),—And frequently without that degree of accuracy which is the result of “ able and minute discussion, or a due attention to the “ revision of the existing laws, or how far their provisions bear upon new and accumulated statutes introduced into parliament, often without either consideration or knowledge ; and without those precautions which are always necessary, when laws are to be made which may affect the property, the liberty, “ and perhaps even the lives of thousands.”

Were the existing laws, which form our present criminal code (according to the suggestions of Lord BACON, and an eminent crown lawyer of our own times), to be referred to able and intelligent men to revise, consolidate, and adjust the whole, in a manner best suited to the present state of society and manners, the investigation would unquestionably excite wonder and astonishment ;

ment ; and those concerned in it could not fail to lament that so many laws, inflicting severe penalties and punishments for slight offences, at present fill the statute-book ; while several crimes, highly injurious to society, are not liable to any punishment whatever.

Penal laws, which are either obsolete or absurd, or which have arisen from an adherence to rules of common law, when the reasons have ceased upon which these rules are founded ; and in short, all laws which appear not to be founded on the dictates of truth and justice, the feelings of humanity, and the indelible rights of mankind, should be abrogated and repealed *.

The method of inflicting punishment ought always to be proportioned to the end it is meant to serve.—That boundary should never be exceeded, and where death does not attach to the crime, the *reformation*, and *future usefulness* of the culprit to the state, should constantly form a leading feature in all criminal jurisprudence.

By compelling persons convicted of offences to be useful and industrious, a repetition of crimes would be prevented ; and instead of being injured by reiterated depredations, as is the case at present, society would enjoy, not only the benefits arising from the protection of

* BLACKSTONE.

life and property, but also from productive labour, increasing and enlarging the resources of the state through the medium of its worst members.

Prevention of crimes and misdemeanors, it cannot be too often repeated, is the true essence of police;—and this is only to be attained by a system of energy directed by such wise and legislative arrangements, as shall enable the civil magistrate to throw every possible difficulty in the way of offenders.

This indeed is very different from what is said to have prevailed in the capital, when criminals were generally permitted to ripen from the first stage of depravity until they were worth forty pounds.—This is not the system which subjected the public to the intermediate depredations of every villain from his first starting, till he could be clearly convicted of a capital offence.—Neither is it the system which encouraged public houses of rendezvous for thieves, for the purpose of knowing where to apprehend them, when they became ripe for the punishment of death.

The system now suggested, is calculated to prevent, if possible, the seeds of villainy from being sown;—or if sown, to check their growth in the bud, and never permit them to ripen at all.

Humanity shudders at the contemplation of this interesting part of the discussion, when it is considered, who these our miserable fellow-mortals are ! and what is to be expected from the extreme depravity which attaches to the chief part of them !

And here a prominent feature of the imperfect state of the police of the metropolis and the country is too evident to escape notice.

Without friends, without character, and without the means of subsistence, what are these unhappy mortals to do ?—They are no sooner known or suspected, than they are avoided.—No person will employ them, even if they were disposed to return to the paths of honesty ; unless they make use of fraud and deception, by concealing that they have been the inhabitants of a *prison*, or of the *bulks*.

At large upon the world, without food or raiment, and with the constant calls of nature upon them for both, without a home or an asylum to shelter them from the inclemency of the weather, *what is to become of them* ?

The police of the country has provided no place of industry, in which those who were disposed to reform might find subsistence in return for labour ; which, in their present situation, becomes useless to them, because

no person will purchase it by employing them.—Under all these circumstances it is to be feared, indeed it is known, that many convicts, from dire necessity, return to their old courses.—And thus, through the medium of these miserable outcasts of society, crimes are increased and become a regular trade, because many of them can make no other election.

**THOSE MEN WILL DESERVE A STATUE TO THEIR
MEMORY WHO SHALL MODERATE THE NEEDLESS
SEVERITY OF OUR LAWS, AND DEVISE AND CARRY
INTO EFFECT A PLAN FOR THE EMPLOYMENT OF
DISCHARGED CONVICTS, WHO MAY BE DESIROUS
OF LABOURING FOR THEIR SUBSISTENCE IN AN
HONEST WAY.—IT IS ONLY NECESSARY FOR PER-
SONS OF WEIGHT AND INFLUENCE TO MAKE THE
ATTEMPT, IN ORDER TO ENSURE THE ASSISTANCE
OF THE OPULENT AND HUMANE IN SO GOOD AND
NECESSARY A WORK.**

SECT.

SECT. XIX.

THE SAME SUBJECT CONSIDERED PRACTICALLY.

HOWARD, the beneficent HOWARD, whose generous efforts have been too often treated as the schemes of a philanthropic visionary, even by those who were unable to refuse him their tribute of admiration and respect, HOWARD, thanks to the wisdom of the state of *Pennsylvania*, will be henceforth acknowledged to be a philosopher as acute in his observations, and as enlightened in his views, as in his disposition virtuous, and friendly to the human race.—His doctrines have been attended to, and his system put in practice in *Philadelphia*, for several years past, and success has crowned them: that success which had been predicted by the benefactor of mankind.

As the criminal jurisprudence of the state of *Pennsylvania* is the basis on which the new system of prison-administration rests, it may be useful to give some account of it in a succinct history.

William

William PENN, when he established this colony in , brought with him a charter from CHARLES the nd, which required the establishment of the laws of land in the infant settlement.—But how could N, a philosophic legislator, whose first act of go-
ment was to grant equal protection (without pre-
dice or partiality to any religion) to every sect,
lish without reluctance a system of criminal jurif-
cence, which awarded to almost every kind of crime
punishment of *death*?—PENN was the friend of rea-
nd humanity.—He wished to extend their empire,
to ensure their blessings to his rising colony.—Nor
is a cold indifference to the effusion of blood, accord-
the principles of that sect, which refuses to ac-
vledge the lawfulness even of defensive war.—He
viled, as soon as he could, a milder code of criminal
xudence, in which the punishment of death was
ded to premeditated murder only.—This code was
pproved of in England, and, after a long dispute
een the king and the governor of *Pennsylvania*, the
lish criminal law was established in its full extent
rigour.—This order subsisted as long as the kings of
land remained sovereigns of America.

he inhabitants of *Pennsylvania*, awakened to liberty,
had

had their attention immediately recalled to the mildness of their original penal code.—The new constitution of the state, formed in the year 1776, enjoined the legislature to proceed to the reformation of the penal laws, and to invent punishments less cruel, and better proportioned to the various degrees of criminality.—The war prevented the execution of these views till 1776.—At that time the punishment of death, which had been inflicted upon almost every species of theft, &c. was reserved for murder, rape, wilful incendiaries, and treason; and whipping, imprisonment, and public labour, substituted in its stead.

The experience of a few years has at length demonstrated the numberless inconveniences of *public labour*.—Criminals loaded with irons, and scattered through the streets and along the roads, presented to the public the spectacle of vice rather than of shame and misery; and the impossibility of watching them properly, facilitated the means of excess, of drunkenness, of pillage, and of escape.—All the prisoners, whatever might have been their crimes or their characters, were confounded in one mass.—By this mixture, the bad were not ameliorated, but the less criminal often became worse.—They spread terror over town and country; and far

from being put in the way of amendment, became initiated in new scenes of wickedness, till the prisons were found incompetent to contain the increasing number of the convicted.

At this period, some of the most respectable citizens of *Philadelphia* formed themselves into a society, with the view of alleviating the miseries of the prisons, of ascertaining their defects, and of pointing out to the government the prevailing abuses.—This society was the occasion of an additional mitigation of the penal code.—In 1790, the legislature, composed at that time of a single chamber, abolished the punishments of public labour, of mutilation, and of whipping ; and substituted in their stead imprisonment, fine, and reparation for the crime committed.—The same law requires stronger evidence for the conviction of certain criminals ; and, after settling several important articles relative to the general administration of prisons, gives in charge to a board of inspectors to make, with the approbation of the mayor and two aldermen of *Philadelphia*, two judges of the supreme court, and two judges of the court of common pleas of *Pennsylvania*, such alterations as may be necessary for the internal management of such buildings. Confidence in the good intentions of this beneficent so-

ciety, and in the patriotism and sagacity of the inspectors, forced, as it were, this act from the legislature, who were far from expecting that the avoiding of ill treatment, and the adoption of a mild conduct, would have more effect upon the prisoners, and prove a better means of correction, than fetters, harshness, and severity.

The judges consulted on this occasion, opposed the change, not because they were hardened by prejudice, they were, on the contrary, enlightened and humane; but a too intimate acquaintance with crimes and criminals, the consequence of their profession, blinded them to the hopes of success pointed out in the new system.—The new mode of discipline was, however, the only plea for the alteration of the penal code, which, for this reason, was made temporary, and its duration limited to five years.—It was left to after-experience, to determine whether it should be continued or abandoned.

The Quakers were the chief promoters of this softened system.

It was LOWNES who proposed and effected the change of discipline; who proposed to substitute a mild and rational, but firm, treatment, in the room of irons and stripes:

stripes: and who, without relaxing in his efforts, patiently bore to be treated as a visionary, in full confidence of the good to be obtained by perseverance.—His indefatigable zeal, by interesting in his favour every person capable of contributing to his success, obtained, from the good will of the legislature, the already noticed laws: laws dictated not only by benevolence, but also by justice and true policy.—He, in fine, by consenting to be re-elected on every nomination, became the principal agent in this respectable work of reason and humanity.

I have already observed, that the opinion of the judges was decidedly against this establishment: one, younger than the rest, and less inclined to despair of the melioration of the human character, embraced with ardour the new system, associated himself with Caleb LOWNES, assisted him with that advice which could be given only by a man well versed in the science of jurisprudence; and shared with him his hopes, his labours, and his deservings.—This man was William BRADFORD, at that time judge of the state of Pennsylvania, since attorney-general of the United States, and recently deceased, honoured by the regret and universal esteem of his fellow citizens.—He deserves, indeed, particular respect;

which I pay him with the greater readiness, as it implies no censure on his brethren, who, in refusing their sanction to the new system, were actuated only by the fear of success, a fear founded upon past experience.

They were seconded by the influence of several other citizens, of importance by their fortunes, and by their great credit and respectability, who were sufficiently enlightened to calculate the possibility of its success, and the advantages it promised.—Their patriotism rendered them ardent to contribute to its advancement.—In consequence, the regulations were speedily concerted, and the necessary alterations in the buildings being made, the new discipline commenced.—The trials already made, have so fully answered every expectation, that during the last year, the state legislature has proceeded to a further mitigation of its penal code, and has confined the punishment of death to murder committed with malice and premeditated intention; punishing every other species of the same crime with imprisonment of greater or less continuance and severity, leaving to the governor, at the same time, the power of abridging its duration.—To these enlightened legislators it appeared, that if, on the one hand, the certainty of punishment

operated as a powerful check on crimes, the hope of obtaining pardon, in consequence of good behaviour, was, on the other, a means no less powerful in determining the convict to real and positive amendment.

The end proposed in punishment, ought to be the correction of the guilty, and should include the means of amendment.—This axiom of morality is the basis of the government of the prison.—The managers have connected with it a great political truth; that the confinement of a convict being a reparation made to the community, the society ought to be burdened as little as possible with the expence attending such detention: whence it follows, that a chief object of the regimen of these prisons ought to be, first, to break off the old habits to which the convicts have been accustomed, and induce them to self-reflection, and consequent amelioration; secondly, to proscribe all arbitrary ill-treatment of the prisoners; and thirdly, to keep them constantly employed in some species of productive labour, with a view to make them contribute to the expences of the prison, preserve them from idleness and inaction, and enable them to lay up some kind of fund against the termination of their captivity.

The convicts, condemned to imprisonment under the
new

new act, may be divided into two classes. 1st. Those condemned for crimes, heretofore punishable with death, whose sentence always includes the article of solitary confinement during a part of their detention.—2d. Such as have been convicted of crimes of less importance, and whose sentence does not include the above article of solitary confinement.

The person sentenced to solitary confinement is shut up in a kind of cell, whose floor is eight feet by six, and its height nine feet.—This room is on the first or second story of an insulated building raised on arches.—It is warmed by means of a stove, placed in the passage leading to the cells.—The prisoner, confined within two iron gratings, receives the heat, without the power of making an improper use of the fire, which he cannot handle.—His chamber, which is partly lighted by the window of the passage, is more directly illuminated by a small window which opens into the cell itself.—Each apartment contains a necessary, cleansable at will by a stream of water.—Every precaution is taken to preserve health.—The cell, as well as the rest of the house, is whitewashed twice a year, or more frequently, if necessity requires.—The prisoner sleeps upon a mattras, and is allowed a sufficient quantity of cloathing.—In

this

this situation, separated from every other individual, given up to solitude, to self-reflection, and to remorse, he can communicate only with himself.—He sees the turnkey but once a day, to receive a small pudding made of Indian corn, together with some molasses; nor is it till after a given time, that he obtains, upon his petition, the leave to read.

The convicts whose sentence does not include solitary confinement, are on their arrival placed among the rest; their clothes are taken away, and, if necessary, exposed to heat in an oven, and the common dress of the prisoners put upon them.—They are made acquainted with the regulations of the house, and interrogated with respect to the labour they are able or willing to perform.—The officer who brings them, delivers to the inspectors a short account of their crime, of its aggravating or extenuating circumstances, of their trial, of the faults they have been guilty of, and, in short, of the general character of the individual previous to his condemnation.—This account, afforded by the court which pronounced sentence, enables the inspectors to form some judgment of the new prisoner, and of the greater or less attention which it will be necessary to pay to his behaviour.

The

The work assigned them is adapted to their strength and capacity.—There are in the house, looms for weavers, work-shops and tools for joiners, carpenters, turners, shoe-makers, and taylors; the convicts who possess such trades, are allowed to practise them; the remainder are employed in sawing and polishing marble, in cutting logwood, in pounding and grinding plaster of Paris, in carding wool, or in beating hemp.—The weaker and less skilful are busied in picking wool, hair, or oakum.—The inspectors have lately added to these establishments, a manufacture of nails, capable of affording employment to a great number of prisoners, and bringing considerable profit to the house.—Every one is paid in proportion to his labour.—The bargain for each species of work is made, in the presence of the convict, between the gaoler and the employer.—Out of his profits, the prisoner is obliged to pay his board, and the price of, or in some cases a certain rent or hire for the instruments he uses.—These payments, which are necessarily determined by the current price of commodities, are fixed by the inspectors four times in every year.

Besides his board and cloathing, which are paid out of the profits of his labour, the original sentence of the law

law obliges the convict to pay the expences of prosecution, together with a fine, which never fails to be imposed.—That part of the fine which is appropriated to the commonwealth, is commonly remitted; but he is bound to discharge, without failure, that which is intended as a reparation of his crime, and to defray the expences of prosecution.—The county advances the sums required on this last score, and is reimbursed by the produce of the convict's labour, unless repaid by the family or friends.

The women are employed in spinning, sewing, preparing flax and hemp, and in washing and mending for the house.—Their labour is not so productive as that of the men, but it is sufficient to pay the seven-pence a day required for their maintenance; or amounts to something more, if they labour throughout the day.—As their work demands less strength than that of the men, their nourishment is likewise less considerable.

The gaoler is not here, as is too often the case in Europe, an extortioner, who lays under contribution the weakness, the captivity, and the misery of the confined.—No garnish, no purchase of favours or privileges, no dismission fees disgrace these prisons.—In Europe, the small salary annexed to many places seem to

they are allowed a few billets.—As the building is arched, they cannot set fire to it; and were they to attempt to burn their beds, they would not only be exposed to suffocation, but the survivors would be obliged to pay the damages committed by their companions.

Before they begin their labour, they are obliged to wash their face and hands.—In summer they bathe twice a week, in a basin destined to that purpose in the middle of the court.—They are shaved regularly twice a week, and the wages of the barber, who is a convict, form another part of the general sum deducted from their daily earnings. They change their linen twice a week.

The ruder kinds of labour are performed in the court-yard; those which are more delicate are carried on in various apartments of the same story with those in which they sleep, but in another part of the building.—The workmen are not locked in the rooms: they work under the mutual inspection of each other, and there are seldom more than five or six in one work-shop.—The turnkeys, who are four in number for the whole house, are constantly parading in the passages, in the courts, and among the prisoners.—Long conversations are for-

bidden ; they are allowed to ask assistance of each other, and to speak on the subject of their mutual wants ; but not otherwise.—They are forbidden to bawl after one another, or to converse on the causes of their detention, or to reproach each other, on any account ; at table the same silence is prescribed.

Their breakfast and supper is a pudding of Indian corn, sweetened with molasses.—At dinner they are allowed half a pound of meat.—They are never, on any account, permitted the use of fermented liquors, not even of small-beer.—The prohibition of fermented drink is a standing order, and most religiously observed.—The liveliness and animation which such liquors might induce in the workmen, is only an artificial and momentary vigour ; a cause of irritation, heating the blood, and destroying the effect of that temperate regimen, which is intended to alter the habit and constitution.—The convict, on the contrary, derives strength from substantial nourishment, limited to what is necessary.

If the convict disobeys any order of the house, he is warned of his first offence by the inspectors, the gaoler, or the turnkey.—If he offends again, he is put into solitary confinement.—This solitary confinement is a punishment allowed to be inflicted by the gaoler, who is bound,

bound, as soon as possible, to report what he has done to the inspectors.—The idler, who refuses to work, is likewise sent into solitary confinement ; and for him this punishment, besides its own extreme severity, occasions his losing a portion of time and labour, which he must make up by his future exertions, since the expences of his board continue all the while to be charged to his account.

The four turnkeys are, in their turns, on the watch all night.—Two remain in the inspectors room, while the others parade in the passages of the convicts side of the gaol.—Their orders are to awaken the gaoler on the least noise, and collect into one body.—The gaoler is to enter the room whence the noise proceeds, and conduct the offender into the dreadful solitude.—Such cases have seldom occurred.

Solitary confinement is the only punishment known in the gaol.—The gaoler and turnkeys are without arms, without dogs ; they are even forbidden to carry sticks, lest, in a moment of passion, they should strike a prisoner, and break in upon that system of tranquillity and impartial justice, from which is expected so much benefit.

The treatment of the women is the same with that

of

of the men.—They are confined in a separate wing of the building, and joined to those whom the police has sentenced for other causes.—The only work done in their court-yard is washing: they have, however, the free use of it.—The number of female convicts is generally about five or six.—Silence is less rigidly required of them, nor are they so exactly superintended as the men; they are less numerous; their apartments are kept constantly locked; one of them cooks for the rest; they nurse each other mutually in diseases, but these are few.—The new regimen has, in this respect, produced a change, which is remarkably evident, even in the druggist's bill, which formerly amounted to two hundred, or three hundred and twenty dollars per quarter, but at present seldom rises above forty.—This enormous difference is entirely attributable to the total change of discipline which has taken place.—During the former system, the irregular government of the prison was attended with filth and drunkenness; and frequent broils produced diseases, wounds, and bruises of every kind.—Under the new order, these causes of evil having ceased, the disorders are confined to colds, or such accidents as are common every where.—Only two prisoners have deceased within four years, and those of the small-pox.

Except

Except in cases of contagious maladies, the sick prisoners remain in their room ; in such cases, however, they are removed to a separate apartment.

On Sunday the prisoners attend a sermon, and a lecture delivered by a clergyman, whose zeal leads him to undertake the task.—As christianity is professed by almost every inhabitant of the state, the reading is from the Bible.—The sermons turn rather upon points of morality than upon articles of faith, and are adapted, as much as possible, to the faith and nature of the audience.—All the prisoners, of whatever class or sex, are obliged to attend; those alone excepted who are in solitary confinement: but none of the classes are intermingled.—In the evening another sermon is preached, and books are given to those who request them, of a nature fitted to recal them to their duty..

The convicts, on leaving the prison, receive the overplus of their gains either in money, if the inspector consider that they will not make an improper use of it; or in cloathing, in case of want of confidence in the discretion of the liberated.—There are some who dispose of their profits, even during the time of their imprisonment, for the maintenance of their families; and such have been the admirable fruits of the new discipline, that

out

out of those who leave the gaol, whether in consequence of a pardon, or on the expiration of their sentence, not above two in a hundred ever return to it; while, under the *old system*, the prisons were filled with incorrigible and confirmed criminals, who, like those of Europe, carried out more vices than they brought in, abused their liberty in the commission of fresh crimes, and were continually returning to their fetters, till they terminated their existence on the scaffold.

The subjoined table *, and the note which follows it,

* CRIMES.	From Jan. 1787, to June 1791, under the Old System.	Fr m June 1791 to March 1795, under the Pre- sent System.
Murder - - - - -	9	
Manslaughter - - - - -		5
Robbery - - - - -	39	3
Burglary, - - - - -	77	16
Larceny - - - - -	374	163
Forgery - - - - -	5	10
Counterfeiting - - - - -	5	4
Misdemeanor, 1st degree - - - - -	4	3
Do. 2d degree - - - - -	13	1
Receiving stolen goods, 1st degree - - - - -	26	1
Do. 2d degree - - - - -	6	5
Horse-stealing - - - - -	10	27
Defrauding - - - - -	3	3
Egamy - - - - -	1	
Violent assault to kill - - - - -	6	
Harbouring convicts - - - - -	5	
Disorderly houses - - - - -	10	2
Total - - - - -	394	243

* During the four first of these eight years, the prisons were peopled from the city and county of Philadelphia only. During the four last years, the whole state of Pennsylvania has sent its convicts in addition.

will afford sufficient demonstration, that in this table it appears, that in two hundred and forty-three years, there were only three serviceable to the world: to the *old system*, it would have fallen as long as they existed, or been quenched from society, or lost by the executioner.—Let it be observed, that the change in the criminal jurisprudence, will not affect the discipline of its prisons, or the condition of the criminals.—Such indulgence is, perhaps, the advantage of society.—Civilized society propose an amendment of the law. But the idea itself is false.—The certainty of punishment is commencing, when a man is convicted, may indeed induce him to amend his conduct, his imprisonment is certain to undergo the full punishment, the moment of his enlargement, and the punishment will feel repugnant to the punishment, rather than to the amendment, when they find, as they will, that the amendment is adduced, when they find, as they will,

ment proportioned to the crime, and are convinced of the utility of the scheme, will be less averse to investigate and admit the proofs of guilt.—The executive power also has no sufficient motive to pardon a convict previous to the execution of his sentence, since at any time he has the power of doing it, after the criminal has demonstrated that he is worthy of the indulgence.

The result of this experiment, which already includes four years of trial, is :

1st. That many persons formerly lost to society are restored to it, and become useful members of the community, and bring back into it those habits of labour and industry, which in every quarter of the globe are the most certain and powerful preservatives against wickedness and crimes.

2dly. That the expence of their detention does not fall upon the public.—Since the state, which had formerly to support only the expences of repairs, and of servants' wages (even before the establishment of the nail manufactories *), is at this time burdened with no

* The whole sum levied upon the county, for the wages of the gaoler and turnkeys, for repairs, &c. amounted only to one thousand dollars.—It may be proper to add, that during the period in which fetters were made use of in the prison, the blacksmith's bill alone amounted, on an average, to eight hundred dollars; but that at present, and for four years past, it has not risen to forty.

part of the expense ; but has, on the contrary, an excess of income arising from this fund, which is thrown into the public treasury, to be employed in other public works *.

The success of the *new system* is on the point, therefore, of being more complete than HOWARD himself had ventured to contemplate : for he considered the hope, that the labour of prisoners would defray the expences of their detention as an illusion † ; and yet, those in the gaol of Philadelphia, on their dismission, besides paying their expences of every kind, take with them an overplus of profit.—His opinion was, likewise, that fettens, and even whipping, were indispensable in the management of prisons ‡ ; and yet all corporeal correction, as well as irons, are forbidden in this gaol.—And lastly, the punishment of death, which, according to HOWARD,

* As the nail manufacture is continually increasing, and its profits depend on the number of hands employed in it, a general idea only is given of the profits it affords the house, which are positive, and already considerable.—It is to be wished that a particular statement of the whole expence of the establishment, and the produce of each branch of labour, were given to the public, by the inspectors.—This information, and those details are of great importance, but cannot be brought forward with any confidence by a traveller, desirous to publish nothing but truth.

† Howard on Prisons, Vol. II. p. 41.

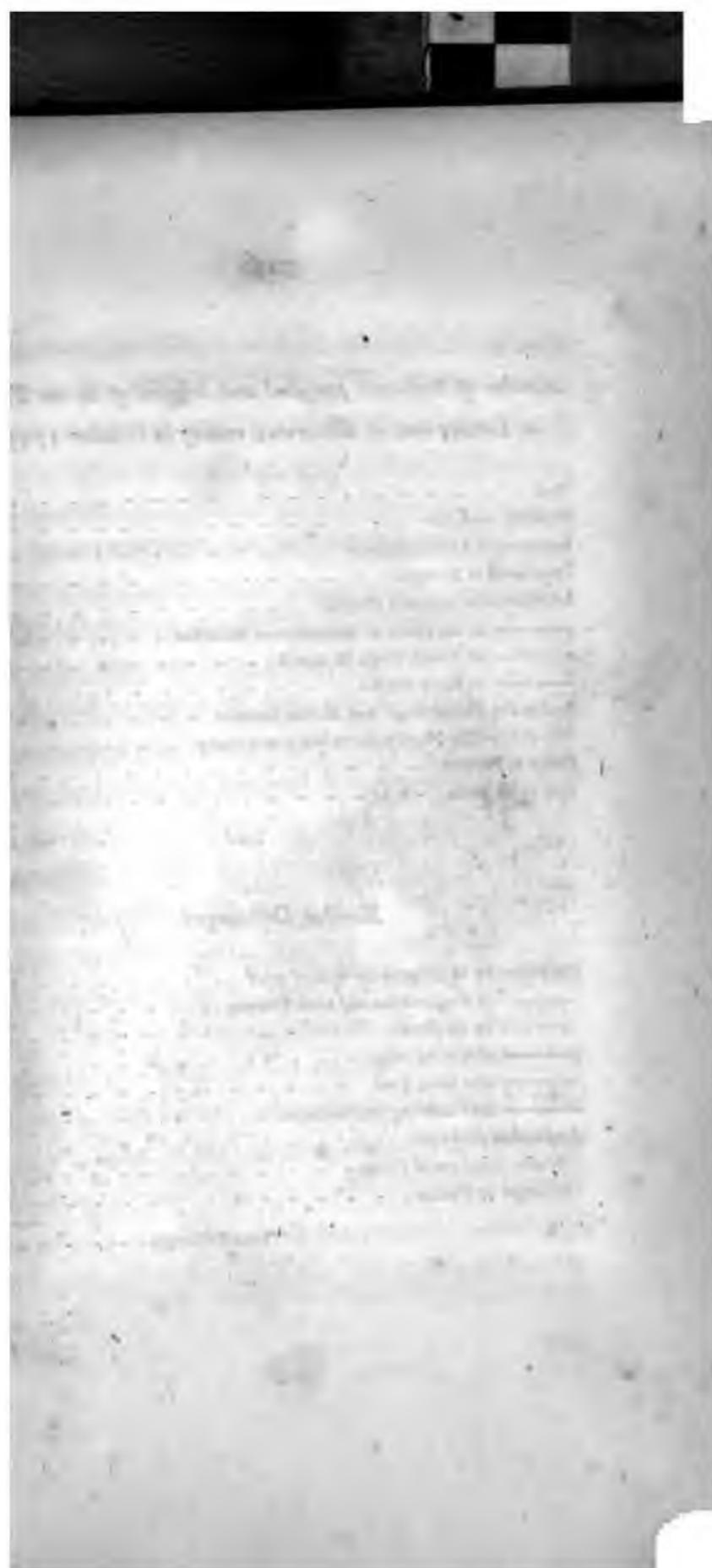
‡ Ibid. Vol. II. p. 227. On Prison Regulations.

the law ought still to inflict on house-breakers, incendiaries, and murderers in general, is confined here to murderers of the first degree.—This punishment, so often enacted by legislators, merely because they were embarrassed how to dispose of the criminals to whom they granted life, ought then only, according to every principle of morality and sound policy, to be pronounced, when no other means exist of preserving the community from some great peril.—In every other case, it becomes a cruelty detrimental to its true interests ; which, after all, punishes the criminal less severely than a rigid and long detention, than that exact and close confinement in separate cells, which leaves the insulated criminal to the heart-rending recollection of his crimes ; condemns him to drag on, in sad inquietude, long days of listless unceasiness ; and makes him feel that he is a stranger, and as it were alone in the universe*.

MAY THE NEW CONTINENT, ACCUSTOMED TO RECEIVE FROM EUROPE, THAT ILLUMINATION, WHICH HER YOUTH AND INEXPERIENCE REQUIRE, SERVE, IN HER TURN, AS A MODEL, TO REFORM THE CRIMINAL JURISPRUDENCE, AND ESTABLISH A NEW SYSTEM OF IMPRISONMENT, IN THE OLD WORLD ; SEVERE AND TERRIBLE, YET HUMANE

* Duke de Liancourt.

AND JUST.—TO AMERICA, IT MUST BE CONFESSED, WE ARE INDEBTED FOR THE FIRST EXAMPLE.—THE OPINIONS THAT GAVE IT BIRTH, ARE DOUBTLESS OF EUROPEAN ORIGIN.—IN THAT COUNTRY, THE CAUSE OF HUMANITY HAS FOUND ABLE AND ZEALOUS ADVOCATES.—BUT THE ATTEMPT AT AN ALMOST ENTIRE ABOLITION OF THE PUNISHMENT OF DEATH, AND THE SUBSTITUTION OF A SYSTEM OF REASON AND JUSTICE, TO THAT OF BONDS, ILL-TREATMENT, AND ARBITRARY PUNISHMENT, WAS NEVER MADE BUT IN AMERICA.—THE OBSTACLES, TO SUCH AN ATTEMPT, IT MUST BE ACKNOWLEDGED, ARE, IN EUROPE, ALMOST UNSURMOUNTABLE.—BUT THEY WERE NOT SMALL, EVEN IN AMERICA: THEY WERE BELIEVED TO BE GREAT; AND THEY WERE MUCH MULTIPLIED.—THE PREJUDICES OF MOST MEN WERE OPPOSED TO THE INNOVATION; AND, NOTWITHSTANDING THIS, THE COURAGE AND PERSEVERANCE OF A FEW CITIZENS, TERMINATED IN THE HONOURABLE TRIUMPH.



*Number of Prisoners punished and disposed of in one Year,
in London and its Environs, ending in October 1795.*

Died - - - - -	2
Capitally convicted - - - - -	6
Sentenced to Transportation - - - - -	17
Imprisoned in Newgate - - - - -	8
Imprisoned in Bridewell Hospital - - - - -	58
——— in the House of Correction of Middlesex - - - - -	5
——— in Tothill-Fields Bridewell - - - - -	3
——— in Surry Gaols - - - - -	3
Sent to the Philanthropic and Marine Societies - - - - -	1
Sent to serve His Majesty in the Navy and Army - - - - -	21
Passed to Parishes - - - - -	125
Sent to Hospitals - - - - -	11
Total - - - - -	267

Number Discharged.

Discharged by Magistrates for want of proof - - - - -	167
——— by Proclamation and Gaol Delivery - - - - -	89
——— by Acquittals - - - - -	41
——— after being whipt - - - - -	2
——— after being fined - - - - -	5
——— after suffering imprisonment - - - - -	69
Apprentices discharged - - - - -	24
Offenders bailed out of Prison - - - - -	41
Discharged by Pardon - - - - -	11
Total discharged - - - - -	446

SECT. XX.

PENITENTIARY, OR BETTERING HOUSES.

PENITENTIARY-HOUSES for the confinement of persons who have not been guilty of great crimes, have, for the last twenty years, been considered as a very popular mode of punishment even in this country; and it cannot be sufficiently lamented that the excellent laws for giving energy and effect to this system have been so imperfectly carried into execution.—For, in spite of all the disappointments which have been experienced as to expected utility, wherever such houses have been erected; the error, upon a minute examination, will be found to have originated in the executive management of them: for this requires an assemblage of qualities, dispositions, and endowments, which seem rarely to meet in any one man—namely, *an active and discriminating mind, joined to a philanthropic disposition—the purest morals—no naturally bad propensity;—and these must all unite in a person to whom such a situation should be entrusted.*

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That

That such men are to be found (although seldom) is unquestionably true.—It is reasonable to presume that public advertisements, offering adequate encouragements, would bring men of great merit and discretion forward, whenever it shall become the system to have recourse to such a *mode* of application.—Under such superintendance there would be little danger, with the resources which the metropolis affords, of finding good and productive labour suited to the situation and former pursuits of the convicts; while proper attention would be bestowed on the means of working their reformation, and of restoring the less criminal to society, after a certain period; with a prospect of becoming useful and peaceable members of the community.—It is earnestly to be hoped, therefore, that the good intentions of the legislature will not be defeated, and that the salutary measure of building and improving penitentiary houses * in the different counties will be carried into effectual execution, pursuant to the act of the 16th of his present Majesty already mentioned.—And if, in addition to this, the national penitentiary houses for male and female con-

* Two or three have been erected, and it is much to be lamented that the plan has not been generally pursued. In Cold-Bath Fields a prison for solitary confinement has been built, which, if we *except* the provisions being too scanty, and that the rooms are not warmed by flues in winter, demand public approbation.

vi^cts, proposed to be built in the vicinity of the metropolis, by the Act of the 19th of GEORGE III. cap. 74. (very recently enlarged by the 34th GEORGE III. cap. 84), a most useful resource will be afforded for those who are convicted of larcenies and misdemeanors, and whose punishment does not extend to transportation.

The number of persons liberated from the *common prisons* are extremely numerous, as has been already shewn*; of whom many hundreds, after a short confinement, are thrown back every day upon society, *without reformation,—without character,—without friends, and without the means of subsistence.*—The result is painful to reflect upon.—They generally resort to new crimes, to which they are seldom ill-disposed, from the education they have received in these *schools of profligacy*, which they have recently left; and by this kind of gradation the flight offender becomes a complete villain.

LET AN APPEAL BE MADE TO THE FEELINGS OF HUMANITY IN BEHALF OF THESE EARLY VICTIMS TO VICE AND CRIMINALITY, AND LET THEIR UNHAPPY SITUATION PLEAD FOR THE ESTABLISHMENT OF THE LOCAL AND NATIONAL PENITENTIARY HOUSES WHICH THE LEGISLATURE HAS AU-

* Vide general view of prisoners punished and discharged in one year, p. 296.

CORDS EITHER WITH WHAT HAS BEEN ALREADY SUGGESTED, IN SUBSTANCE AND EFFECT, BY THE LEGISLATURE; OR WHAT HAS BEEN CONCEIVED TO BE PRACTICABLE, UNDER THE CONTROUL OF AN ABLE AND ACTIVE SUPERINTENDANCE.—IF IMPERFECTIONS IN THE PROGRESS OF THE EXECUTION OF THE DESIGN SHALL BE DISCOVERED, REMEDIES WILL OCCUR.—AND IN A MATTER OF SO MUCH IMPORTANCE TO SOCIETY, AS WELL AS TO THE CAUSE OF HUMANITY, NO GOOD MAN WILL WITHHOLD HIS ADVICE OR A SISTANCE, WHENEVER IT MAY BE REQUIRED, IN PERFECTING A PLAN, THE OBJECT OF WHICH IS TO RESCUE THOUSANDS YET UNBORN FROM MISERY AND DESIRUCTION.

THORISED:—BY THIS MEANS, WHILE THE LINK OF CONNECTION WITH THEIR ASSOCIATES IN MIS-CHIEF IS DESTROYED, YOUTHFUL CRIMINALS WILL BE ARRESTED IN THEIR CAREER OF VILLAINY; AND AFTER A COURSE OF LABOUR, SOBRIETY, AND RELIGIOUS AND MORAL INSTRUCTION, JOINED TO GOOD AND JUDICIOUS DISCIPLINE, ACCURATELY CARRIED INTO EXECUTION, THEY MAY BE ALSO RESTORED TO SOCIETY, WITH MINDS FREED FROM DEPRAVITY, AND WITH SUCH HABITS OF INDUSTRY AND SUCH A DISPOSITION TO LEAD A NEW LIFE AS MAY ENTITLE THEM TO EXPECT EMPLOYMENT: THIS BENEFIT MAY BE SECURED TO THEM BY A CERTIFICATE OF GOOD BEHAVIOUR FROM THE GAOLER, AND INSPECTORS; WHICH MAY REMOVE THEIR FORMER STIGMA, RESCUE THEM FROM THE DREADFUL STATE OF BEING OUTCASTS OF SOCIETY, AND AFFORD THEM AN OPPORTUNITY OF SUPPORTING THEMSELVES BY HONEST LABOUR WHEN THEY ARE ONCE MORE UPON THE WORLD.

THESE PROPOSITIONS ARE NOT THE REFINEMENTS OF SPECULATION DOUBTFUL AND UNCERTAIN IN THEIR ISSUE*.—THE WHOLE SYSTEM AC-

* This was proved in Sect. XIX.

CORDS EITHER WITH WHAT HAS BEEN ALREADY SUGGESTED, IN SUBSTANCE AND EFFECT, BY THE LEGISLATURE; OR WHAT HAS BEEN CONCEIVED TO BE PRACTICABLE, UNDER THE CONTROUL OF AN ABLE AND ACTIVE SUPERINTENDANCE.—IF IMPERFECTIONS IN THE PROGRESS OF THE EXECUTION OF THE DESIGN SHALL BE DISCOVERED, REMEDIES WILL OCCUR.—AND IN A MATTER OF SO MUCH IMPORTANCE TO SOCIETY, AS WELL AS TO THE CAUSE OF HUMANITY, NO GOOD MAN WILL WITHHOLD HIS ADVICE OR A SISTANCE, WHENEVER IT MAY BE REQUIRED, IN PERFECTING A PLAN, THE OBJECT OF WHICH IS TO RESCUE THOUSANDS YET UNBORN FROM MISERY AND DESIRUCTION.

SECT. XXI.

EMPLOYMENT OF CONVICTS.

THE System of the Hulks commenced on the 12th day of July, in the year 1776; and from that time until the 12th of December 1795, comprehending a period of nineteen years, 7999 convicts have been ordered to be punished by hard labour on the river Thames, and Langston and Portsmouth harbours *.

The Contractors for these places (as appears from documents laid before the House of Commons) entered into an agreement with the Lords of the Treasury, obliging themselves, for the *consideration of 1s. 3d. per day* (being 22*l. 16s. 3d.* a year for each convict), to provide, at their own cost or charges, *one or more hulks*, to keep the same in proper repair, to provide proper ships' Companies for the safe custody of such convicts;

* In a financial view, the system of the hulks is entitled to very serious attention; from the year 1776 to 1789, £ 220,873 was expended in maintaining the convicts on the Thames.

Sir John SINCLAIR's Hist. Revenue.

and

and sufficient meat, drink, cloathing, and medical assistance, for the convicts; as also to sustain all other charges: obeying, at the same time, all the orders of his Majesty's principal Secretary of State for the Home Department, respecting the convicts.

The terms of these last contracts appear to be as favourable for Government as could reasonably be expected, under all circumstances; and the advantages to the public are the more prominent, as it appears from the same documents laid before the House of Commons, that the labour performed by the Convicts is productive in a certain degree,—*as the following statement will shew*.

From the 1st January 1789 to the 1st January 1792, it appears that 653,432 days work had been performed at Langston Harbour, Portsmouth, and Woolwich Warren; which being estimated at 9d. a day, is - - £24,503 14 and

From the 1st January 1789 to the 1st January 1792, it also appears that 260,440 days work had been performed at the Dock-yard at Woolwich; which being partly performed by artificers in a more productive species of labour, is estimated at 1s. a day 13,022 0

Total value of Convicts' labour in 3 years* 37,525 14

* 500 convicts were employed at Woolwich, and 510 at Langston and Portsmouth, at the time these accounts were made up; making in all 1010 persons.

From

From these statements it appears, that the estimated labour of the convicts on board the hulks, amounts to about 3-5th parts of the actual expence incurred by their maintenance.—While it is allowed that considerable improvements have been made with regard to the reduction of the expence; that provision has also been made for religious and moral instruction, by established salaries to chaplains;—and that the contractors have honourably performed their part of the undertaking; it is much to be lamented that this experiment has not been attended with more beneficial consequences to the public; not only in rendering the labour of the convicts productive in a greater degree, so as at least to be equal to the expence, but also in amending the *morals* of these our miserable fellow-mortals; so that on their return to society, they might, in some respect, atone for the errors of their former lives, by a course of honest industry, useful to themselves and to their country.—**ON THE CONTRARY**, *experience has shewn that many of them, instead of profiting by the punishment they have suffered (forgetting they were under sentence of death, and undismayed by the dangers they have escaped), immediately rush into the same course of depredation and warfare upon the public: nay, so hardened and determined in this respect have some of them*

them been, as even to make proposals to their old friends, the receivers, previous to the period of their discharge, to purchase their newly-acquired plunder.— It has already been shewn, that those few also who are less depraved, and perhaps disposed to amend their conduct, can find no resource for labour; and are thus, too frequently, compelled, by dire necessity, to herd with their former associates in iniquity.

Reflecting on this system of punishment taken in connection with the various facts already detailed, it seems not impracticable, by some improved arrangements, even to render the hulks an useful establishment, without the hazard of those injuries to the public, which are at present experienced.

To effect this purpose, it must be laid down as an invariable principle, *that the labour must be such as to cover every expence whatsoever; and that no convict, guilty of death, shall be permitted to return upon society, without the fullest attestations of good behaviour.*

By selecting those atrocious offenders, who have forfeited their lives without any claim to mercy, and by adjudging them to serve in a course of hard labour during the whole of their lives, a more dreadful example would be held out to their associates in iniquity, than even

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the punishment of *death* itself: and little doubt can be entertained, that while these forlorn outcasts might be rendered in some degree useful, their condition, and the dread of a similar doom, would deter many others from the commission of crimes *.

In every part of Great Britain, the labour of man has become extremely valuable.—While the extensive manufactures of the country occupy the more ingenious handicrafts, men are often, nay always, wanting for the more laborious occupations of *digging in collieries*—*quarrying stones* of different kinds, for *building* and *pavements*; working on the highways—in *raising ore* from the numerous *mines* in different parts of the country, when there is an inexhaustible resource for human labour.

While the labour of man is so valuable; while & many public and private undertakings are going on in this country, requiring this labour, it is worthy the most serious attention that, *in many instances*, the service of convicts would be far superior to that of the general run of labourers; from the certainty of having the la

* Perhaps it would be right for the marriage to be dissolved, and the children of convicts, unless the best attestation can be given by the clergyman and some respectable parishioners, concerning the wife, that they be placed in some public seminary. The good effects of the *Philanthropic Scheme* is well known to insist farther upon this plan.

hour performed in a given time, arising from the legal discipline and subordination, which must enter into the system of controul and safe custody; where neither the *alehouse*, nor the *holiday rambles*, will disappoint the employers: as is at present too frequently the case on sudden or important emergencies.

Upon a subject of this kind, of all others the most important to society, it is not necessary to *hazard vague or uncertain speculations*.—To men of business, and men of the world, the resource now suggested for the useful employment of convicts is *obvious and practicable* at first view.—The labour of man carried to its fullest extent, where a body of people are collected together, may be estimated, at the present period, on an average, at 1 s. 8 d. a day, even in the coarsest and most servile employment:—But if authority could be exercised, and unnecessary interruptions of labour prevented, the average would be equal to *two shillings* at least: and hence it may be fairly concluded, that to any contractor, who had the means of employing *ablebodied convicts*, their services, while in health, would be worth about 30*l.* a year.

This will be more obvious, when it is taken into the calculation, that many of these unhappy people have

been bred to useful mechanical employments, wh might render their labour extremely productive ; wh others, by constant practice, in even the coarsest wo soon acquire a sleight or facility in the execution, wh enables them to double, and sometimes to treble, t earnings in the course of a year.—This has been ma fested, in innumerable instances, in removing earth, making embankments for canals and inland navigatio A stranger to this species of labour, of the greatest box strength, cannot, at the outset, earn near so mu money as a person of not half the athletic powers, w has been accustomed to such work.

The same reasoning applies to every kind of labor and therefore if convicts, destined to servile empl ments for life, are not at first able to earn the us wages, constant practice, aided by their own natu genius, will soon enable them to reach the *né plus ul of human exertion* ; they would thus be rendered valuable acquisitions to many enterprising and useful associatio in this kingdom ; who would not only be able to gi ample security for their safe custody, but also for t due performance of every other covenant which mig relate to the *preservation of health*, and to the *cloathing, hours of labour, and religious and moral instru*

tie

tion, of such convicts; as well as for the allowance in money to be made to each out of their earnings.

Let the experiment only be tried at first on a small scale; and, if the author of these pages is not much mistaken, applications would be made by persons of great respectability, and even premiums offered for an assignment of the services of convicts under such circumstances: thus relieving the public from a very heavy annual expence, and rendering useful and productive to the country the labour of the most mischievous part of the community; whose atonement in this manner for the injuries they have done to society, by being more immediately under the eye of the public, would probably go further in *preventing crimes* (as has been already repeatedly urged) than even *death* itself, or any other mode of punishment that could be devised.

But though it should not accord with the wisdom of the legislature to permit the labour of convicts to be let out, on contract, to any person who can give proper security for performing the covenants which may be required, there are other methods of rendering their exertions useful; by dividing them near the different dock-yards, assigning a particular place where they shall work by themselves, in *moving* and *sawing* *large timber*, *forging*

ing anchors, or making cordage
der proper management, th
short time, yield at least c
maintain them ; and afford
pecuniary encouragements,
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his head :—where is the ha
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A moment's reflection,
of this species of punishment
of manual labour, the ha

more than every honest artisan, who works industriously for his family, must, during the whole course of his life, impose upon himself.—The conditions of a convict would even in some respects be superior; inasmuch as he would have medical assistance, and other advantages tending to the preservation of health, which do not attach to the lower classes of the people; whose irregularities, not being restrained, and whose pursuits and labours, not being directed by good judgment and intelligence, often produce bad health, and extreme poverty and distress.

But although it is suggested as a general rule, for the purpose of preventing crimes, that no offender who has been condemned to death should ever be at large upon society again, it is by no means meant to insinuate that the *Royal Mercy* should be entirely shut against all these unhappy outcasts;—God forbid!—It may happen that some of them may well deserve mercy, after certain probation, and the hope of obtaining it should be kept alive; but in this, as well as in every other case, it surely would be greatly for the interest of the public, that free pardons should only be obtained after a long trial of the good behaviour of the convict, for the term of five years

at least ; and this should be previously understood by a persons applying for pardons.—Quarterly inspectors ought therefore to be appointed, being persons of great respectability in life.

This is surely a moderate request : for as every convict, thus restored to society, may be reasonably supposed to increase the risk of public injury ; a right attaches to the community to expect some security against such additional hazard.—And this would probably be granted with the less reluctance, as those who generally interest themselves in procuring pardons, do it, either from belief of the convict's innocence, or from a strong impression that he never will again offend against the law of his country.

THUS MIGHT OUR MURDEROUS CODE OF LAW BE USEFULLY ABOLISHED, WHICH EXPERIENCE TEACHES US DOES NOT PREVENT CRIMES : FOR THE HARDENED VILLAIN LOOKS UPON DEATH AS A MOMENTARY EVIL, LESS THAN HIS DISTRESSES ; AND WHAT HE IS ALREADY DOOMED TO EXPECT FROM THE LAW OF NATURE.—OF THE HUNDRED AND SIXTY CRIMES, WHICH INCUR AT PRESENT THE PENALTY OF DEATH IN OUR LAW, PERHAPS

MURDER

**MURDER, RAPE, TREASON, AND ONE OR TWO
OTHER CRIMES, ALONE DESERVE THAT SEVERE
PUNISHMENT, AS THE REFORM OF MAN IS, IN
GENERAL, THE DUTY OF THE LEGISLATURE, AND
NOT HIS DESTRUCTION.**

SECT. XXII.

TRANSPORTATION.

HAVING thus suggested such expedients as have occurred for improving the system of the hulks, or punishment by labour in this country; it now remains to examine the facts regarding the present mode of *transportation* of convicts to NEW SOUTH WALES; with view to consider how far any practicable improvement can be introduced also into this System.

The most prominent objection is not to the species of punishment: but to the enormous expence attending it *; which could not possibly have been foreseen

* Sir JOHN SINCLAIR (whose indefatigable, disinterested, useful, & patriotic exertions can never be forgotten while there is any gratitude in the nation), in his History of the Public Revenue, published in 1790, Vol. I. page 89, makes the following observation.

" About £100,000 has already been laid out in attempting to establish a very unpromising colony in New South Wales.—At the most moderate calculation, the punishment of petty felons, if the same measures are pursued, will cost above £50,000 *per annum*: an article which has not as yet been stated in any estimate of the permanent expences of this country."

at the time, otherwise it would probably have never been adopted*.

The

* From the accounts and papers which were laid before the House of Commons relative to the convicts transported to New South Wales, and ordered to be printed, the 8th of April, 1791, and the 20th and 26th of March, 1792: the following expences appear to have been incurred in the course of about four years.

1. Expence of the Civil Establishment of New South Wales, from the year 1787, to the 10th of October 1790	£ 13,190 17 8
2. Expence of the Military Establishment from the year 1787, to the 1st of January 1791	29,669 16 2
3. Expence of Transporting Convicts to New South Wales, as far as the same could be made up on the 9th of February 1791	161,075 17 2
4. Cost of Provisions and Stores which have been sent to New South Wales for the maintenance and support of the Settlements there; as far as the same could be made up on the 9th of February 1791	84,553 4 8 4
5. Expences of His Majesty's ships <i>Syrius</i> , <i>Supply</i> , <i>Guardian</i> , and <i>Gorgon</i> , sent on service to New South Wales	95,601 0 0
Total (according to the Statement, printed by order of the House of Commons, 8th of April 1791)	£ 384,090 15 8 4
1. Expence of provisions and sundry articles sent to New South Wales, including bills drawn on account of convicts sent thither; per account, made up to 7th of Feb. 1791	£ 22,179 12 6
Carried over	£ 22,179 12 6
	£ 384,090 15 8 4
R. r. 2	2. Expence

The first embarkation to NEW SOUTH WALES commenced in 1787, and in the month of May in the fol-

Brought over -	£22,179 12 6	£384,090 15 8 <i>½</i>
2. Expence of provisions and stores sent to New South Wales, for the support of the convicts, including bills drawn; per account, made up to 23d of Feb.		
1792 - - - - -	53,551 17 0 <i>½</i>	
3. Expence of clothing, tools, and implements of husbandry, shipped in the Pitt Transport; reported 16th of Feb.		
1792 - - - - -	7,937 5 4	
4. Expence of clothing and necessaries, shipped in the Kitty Transport; reported 16th of Feb. 1792 - - - - -	195 0 0	
5. Specie shipped to New South Wales in the Kitty Transport; reported 16th of Feb. 1792 - - - - -	1,001 0 0	
6. Cloathing, and other articles, ordered to be provided by an order of Treasury, dated 5th of Jan. 1792; estimated by report 16th of Feb. 1792 at	<u>12,000 0 0</u>	
Total; according to the Statement, printed by an order of the House of Commons, 10th and 16th of March		
1792 - - - - -	96,864 14 10 <i>½</i>	
Aggregate Total £480,955 10 7 <i>½</i>		
* By the abovementioned Document, the future Civil Establishment is fixed annually at - - - - -	£3,856 0 0	
Future annual charge of the Military Establishment - - - - -	<u>6,134 7 3</u>	
Total, from 1791 to 1792 -	<u>9,990 7 3</u>	
Total Expence, as far as it could be made up till Feb. 1792 £490,945 17 10 <i>½</i>		
owing		

lowing year 1830 male and female convicts were landed on the new colony. In twenty-one months after, there were 77 deaths, and 87 births, in the whole settlement; which was divided, by placing a part of the convicts in Norfolk Island, a small fertile spot, containing only about 14,000 acres of land; and situated about 1200 miles distant from Sydney Cove, in New South Wales; where the seat of government is fixed.—In this project considerably above half a million of money has been already expended.—A circumstance which certainly shews the great anxiety of government to devise means of punishment calculated to rid society of these irreclaimable outcasts, whose daily accumulation called for the adoption of some expedient to prevent their return upon the public.

Like all new colonial settlements, great struggles, severe hardships, and difficulties, were experienced at the outset, and for some years after were heightened in a very considerable degree, by the immense distance from the mother country, the vast length of the voyage, and the difficulty and uncertainty of sending regular supplies; these were often felt (notwithstanding the attention of government) as serious evils, since the principal support of the colony, for the first three years, depended

chiefly on the provisions, & were sent from England.—
to mere subsistence, there is no becoming independent of it yet, with respect to cloathing wants will experience no difficulty inquires that they should be at

As the expectation formed new inhabitants, at least to seems in a great measure disabuse the national expence at it within some moderate bounds limiting the transportation of by inflicting this punishment cious offenders, who are no youth and health, so as to own labour; but who also which renders it dangerous to convicts unacquainted with or others, who might, according to be rendered useful in nothing can be more absurd than sending to such a distance to firm.

THUS, BY MEANS OF TRANSPORTATION, WE WOULD SEPARATE FROM THE MASS OF CONDEMNED CRIMINALS, WHO BY ABUSING HAVE FORFEITED THEIR LIBERTY, THE MOST HARDENED AND REPROBATE WRETCHES, WHO MIGHT, BY THEIR CONVERSATION, CONTAMINATE THEIR FELLOW SUFFERERS;—AND THE AGED, LAME, AND DISEASED, SHOULD BE IN A SEPARATE CONFINEMENT, THAT THE EXAMPLE OF INDULGENCE NECESSARY TO BE SHEWN THEM SHOULD NOT OPERATE AS ANY CHECK TO THE EXERTIONS OF THE OTHERS.— IF A MAN WAS WILFULLY IDLE, WE WOULD PURSUE THE MODE FOLLOWED IN HOLLAND. HE SHOULD BE PUT INTO A ROOM, WHERE THERE WERE FOUR OPEN COCKS, AND A LARGE PUMP, AND IN CASE HE WOULD NOT WORK HE MUST BE DROWNED, AND HIS INDUSTRY, BY SUCH A PUNISHMENT, WOULD BE BETTER EXCITED THAN BY CHASTISEMENT, OR PERHAPS EVEN THE DREAD OF SOLITARY CONFINEMENT.

SECT.

SECT. XXIII.

PREVENTION OF CRIMES.

WHILE travelling over so extensive a field, in which we have set forth the crimes which infest society, and called down upon the offenders *justice tempered with mercy*, it may be natural to suppose, that our voice may meet the ear of some who entertain notions very unfavourable to the human race.—Such impressions, however, should be cherished with caution.—It must be recollectcd, that extensive as the injuries appear to be, in the light in which they are placed, in order to appreciate their true amount, they must be measured by the temptation.—The depredations committed will cease to be a matter of astonishment when compared with the vast property that is constant afloat; and, on the whole, the evils are, perhaps, not to be imputed so much to the *increased or general depravity of the human character*, as to the *deficiency of the laws*, in not advancing progressively in the means of **PREVENTION**, in proportion to the introduction of lu-

ury, and the additional temptations which the influx of wealth, and the intercourse of commerce, occasion in every country.—Mankind have ever been the same in all ages.—It ought never to be forgotten, that those who have been exhibited in this work as the most deformed part of the human race, *were once innocent*; and, many of them at least, became victims to the deficiency which will be shewn to pervade the system, with respect to the **PREVENTION OF CRIMES**:—charity, then, claims a tear of pity for their forlorn condition; and the same principle of benevolence must create a desire, wherever the remedies suggested here strike the mind as being practicable and proper, to promote their early adoption; that while those who are innocent, but ready to rush into the same gulph of misery and crimes, are arrested in their progress, and saved to the community; the more depraved, who are already completely abandoned to criminality, may be disposed of in such a manner, as to guard the public against their reiterated acts of fraud, violence, and depredation.

LET EVERY GOVERNMENT, THEN, BE PATER-NAL.—LET CRIMES BE PREVENTED NOT ONLY BY THE TERROR OF LAW, BUT BY STOPPING THE FOUNTAINS OF INIQUITY, AND LET US SEE, WHEN

THE BY STRIKING THE AXE AT THE ROOT OF THE TREE, SOCIAL LIFE MAY NOT BE WELL ESTABLISHED, SO AS NEARLY TO PRECLUDE THE HORRID AND BARBAROUS PRACTICE OF HOLDING BEFORE THE EYES OF FELLOW-MEN A POOR CREATURE STRUGGLING IN THE AGONIES OF A PREMATURE DEATH.—THE PREVENTION OF CRIMES, BY ATTENDING TO THE MORALS OF THE PEOPLE, AND RENDERING THEIR PERPETRATION MORE DANGEROUS AND UNPROFITABLE, WILL BE THE OBJECT OF THE ENSUING SECTIONS,

SECT. XXIV.

POLICE.

AT the commencement of the troubles in France, it is a curious fact, that the Lieutenant-General of the National Police, as well as that of the Metropolis, had upon his registers the names of not less than twenty thousand suspected and depraved characters, whose pursuits were known to be of a criminal nature: yet, by making this part of police the immediate object of the close and uniform attention of one branch of the executive government, crimes were much less frequent than in England; and the security extended to the public, with regard to the protection of life and property against lawless depredation, was infinitely greater. To elucidate this assertion, and to shew to what a wonderful height the system had advanced, the reader is referred to the following anecdotes; which were mentioned to the author by a foreign minister of great intelligence

ligence and information, who resided some years at the court of France.

“ A merchant of high respectability in BOURDEAUX had occasion to visit the metropolis upon commercial business, carrying with him bills and money to a very large amount.

“ On his arrival at the gates of PARIS, a genteel looking man opened the door of his carriage, and addressed him to this effect :—*Sir, I have been waiting for you some time; according to my notes, your were to arrive at this hour; and your person, your carriage, and your portmanteau, exactly answering the description I hold in my band, you will permit me to have the honour of conducting you to Monsieur De SARTINE.*

“ The gentleman, astonished and alarmed at this interruption, and still more so at hearing the name of the lieutenant of the police mentioned, demanded to know what Monsieur de SARTINE wanted with him; adding, at the same time, that he never had committed any offence against the laws, and that he could have no right to interrupt or detain him.

“ The messenger declared himself perfectly ignorant of the cause of the detention; stating, at the same time, that when he had conducted him to Monsieur de SAR-

TINE,

TINE, he should have executed his orders, which were merely ministerial.

“ After some further explanations, the gentleman permitted the officer to conduct him accordingly.—Monsieur de SARTINE received him with great politeness; and, after requesting him to be seated, to his great astonishment, he described his portmanteau; and told him the exact sum in bills and specie which he had brought with him to PARIS, and where he was to lodge, his usual time of going to bed, and a number of other circumstances, which the gentleman had conceived could only be known to himself.—Monsieur de SARTINE having thus excited attention, put this extraordinary question to him—*Sir, are you a man of courage?*—The gentleman, still more astonished at the singularity of such an interrogatory, demanded the reason why he put such a strange question, adding, at the same time, that no man ever doubted his courage.—Monsieur de SARTINE replied,—*Sir, you are to be robbed and murdered this night!*—*If you are a man of courage, you must go to your hotel, and retire to rest at the usual hour: but be careful that you do not fall asleep; neither will it be proper for you to look under the bed, or into any of the closets which are in your bed-chamber* (which he accurately described);

—you must place your portmanteau by your bed, and discover no fault to me.—If, however, you do not bear you out, I will procure you, and go to bed in your stead.

“ After some further examination, the gentleman that Monsieur de SARTINE was accurate in every particular, and formed an immediate resolution to follow the directions he had given.—He then went to bed at his usual hour.—At half past twelve (the time of the arrest of Monsieur de SARTINE) the door of the room was suddenly forced open, and three men entered with pistols.—The gentleman, who had perceived one of them to be a soldier, rifled his portmanteau undisturbed, of putting him to death.—He was, however, not put to death, and not knowing by whom he was to be put to death, it may naturally be inferred, that he was put to death from a perturbation of mind during the suspense; when, at the moment of his execution, he was preparing to commit the horrid suicide, acting under Monsieur de SARTINE.

concealed under the bed, and in the closet, rushed out and seized the offenders with the property in their possession, and in the act of preparing to commit the murder.

" The consequence was, that the perpetration of the atrocious deed was prevented, and sufficient evidence obtained to convict the offenders.—Monsieur de SARTINE's intelligence enabled him to *prevent* this horrid offence of robbery and murder; which, but for the accuracy of the system, would probably have been carried into execution."

Another anecdote was mentioned to the author by the same minister, relative to the Emperor JOSEPH II. That monarch having, in the year 1787, formed and promulgated a new code of laws relative to criminal and civil offences; and having also established what he conceived to be the best system of police in Europe, he could scarcely ever forgive the French nation, in consequence of the accuracy and intelligence of Monsieur de SARTINE having been found so much superior to his own, notwithstanding the immense pains he had bestowed upon that department of his government.

" A very notorious offender, who was a subject of the emperor, and who committed many atrocious acts of

of violence and depredation
Paris by the police established
ordered his ambassador at the
that this delinquent should
justice.—

“ Monsieur de SARTINE
perial Ambassador, that the
had been in *Paris*;—that, if
tion, he could inform him
the different gaming-tables, at
resort, which he frequented
was now gone.—

“ The ambassador, after
correct mode by which the
ducted, insisted that this offer
otherwise the Emperor would
to make such an application.

“ Monsieur de SARTINE
the Imperial minister, and made
effect:—

“ *Do me the honour, Sir, to
master, that the person be look
day of the last month; and is
looking into a garden in the thin*

93, in —— street, in his own capital of Vienna; where his Majesty will, by sending to the spot, be sure to find him.—

“ It was literally as the French minister of police had stated.—The Emperor, to his astonishment, found the delinquent in the house and apartment described; but he was greatly mortified at this proof of the accuracy of the French police; which, in this instance, in point of intelligence *even in Vienna*, was discovered to be so much superior to his own.”—

The fact is, that the French system had arrived at the greatest degree of perfection: and though not necessary, nor even proper, to be copied as a *pattern*, might, nevertheless, furnish many useful hints, calculated to improve the police of this metropolis, consistent with the existing laws; and even to extend and increase the liberty of the subject without taking one just right away; or interfering in the pursuits of any one class of individuals; except those employed in purposes of *mischief, fraud, and criminality*.

In vain do we boast of those liberties which are our birthright, if the vilest and most depraved part of the community are suffered to deprive us of the privilege of travelling upon the highways, or of approaching the

capital in any direction, after
being assaulted and robbed,
murdered.

In vain may we boast of
excellent laws afford us, if we
our habitations, without the
committed, our property is
posed to imminent danger
morning.

If, in addition to this, t
every specious pretence, be
clamours or turbulent eff
regulated passions of vulgar
interesting inquiry, worthy
ligent member of the comm
spring these numerous inconve
remedy to be found for so many

Prevention of crimes and m
often repeated, is the true c
is only to be attained by a s
such wise and legislative ar
the civil magistrate to throw
the way of offenders.

This indeed is very differe

once prevailed in the capital, when criminals were permitted to ripen from the first stage of depravity until they were worth forty pounds.—This is not the system which subjects the public to the intermediate depredations of every villain from his first starting, till he could be clearly convicted of a capital offence.—Neither is it the system which encourages public houses of rendezvous for thieves, for the purpose of knowing where to apprehend them, when they became ripe for the punishment of death.

The system which we now suggest, is calculated to prevent, if possible, the seeds of villainy from being sown; —or, if sown, to check their growth in the bud, and never permit them to ripen at all.

Next to the blessings which a nation derives from excellent laws, ably administered, are those advantages which result from a well-regulated and energetic police, conducted with purity, activity, vigilance, and discretion.

Upon this depends, in so great a degree, the comfort, the happiness, and the security of the people, that too much labour and attention cannot possibly be bestowed in rendering the system complete.

That much remains to be done in this respect no per-

son will deny; all ranks must be placed in a security in which both life and property are placed, by the number of *watchmen* various causes (which it is intended to develop in these pages to develop), are repeat acts of licentiousness and depredations upon the property.

At present, the watchmen are distributed over the *thousand* streets, lanes, courtyards, &c. of the city, composing 162,000 houses, composing the *metropolis* and its environs, are under the charge of above seventy different trustees, who are double the number of local *wardens*, in many particulars from the *wardens* of the *Parish*, *Hamlet*, *Liberty*, or *City*, according to the title they are called by, each attending only to the *wards* of his residence of the particular district, and patrolling each night.

The encouragement being small, few candidates appear

are really, in point of character and age, fit for the situation; the managers have therefore no alternative but to accept of such aged, and often superannuated, men, living in their respective districts, as may offer their services: this they are frequently induced to do from motives of humanity, to assist old inhabitants who are unable to labour at any mechanical employment, or perhaps with a view to keep them out of the work-house.

Thus circumstanced, and thus encouraged, what can be expected from such watchmen?

Aged in general;—often feeble:—and almost, on every occasion, half starved, from the limited allowance they receive; without any claim upon the public, or the least hope of reward held out, even if they performed any meritorious service, by the *detection of thieves and receivers of stolen goods*, or idle and disorderly persons: and above all, *making so many separate parts of an immense system, without any general superintendance, disjointed from the nature of its organization*, it is only a matter of wonder that the protection afforded is what it *really is*.—Not only is there small encouragement offered for the purpose of insuring fidelity, but innumerable temptations are held out to dishonesty, by receivers of stolen goods,

to

THUS WOULD WE WISH TO SEE ESTABLISHED AN ENERGETIC POLICE ALL OVER THE METROPOLIS AT A SMALL EXPENCE, CONSIDERING THE SERVICES WHICH WOULD ARISE, AND THE GENEROUS LOOK ALSO AT THE MERCY OF SUCH A SIGHT. FOR TOO OFTEN OPPORTUNITY MAKES THE GUARDIAN.—THE GUARDIANS OF THE PUBLIC PEACE SHOULD BE DIVIDED INTO SEVERAL WATCHES*.—COOK'S GREAT IMPROVEMENT, WHICH HAS FOLLOWED THROUGHOUT THE NAVY, SHOULD BE COPIED HERE.—HE FORMED HIS SHIP'S COMPANY INTO THREE WATCHES INSTEAD OF TWO. THIS MEANS HE PRESERVED HIS MEN IN HEALTH, LESSENED THEIR FATIGUE, AND INCREASED THEIR VIGILANCE.

* They should be divided into watches; that is, no one should be on duty above three or four hours, nor should any man know his appointed hand.

SECT. XXV.

PUBLIC HOUSES.

INNUMERABLE temptations occur in a great capital to excite, and afterwards criminally to supply, imaginary wants and improper gratifications, not known in smaller societies: and against which the laws have provided few remedies, applicable in the way of *prevention*.

Accustomed from their earliest infancy to indulge themselves in eating and drinking; and possessing little or no knowledge of that kind of frugality and care which enables well-regulated families to make every thing go as far as possible, by good management:—also failed also by the numerous temptations held out by fraudulent lotteries, and places of public resort and amusement; and above all, by the habit of spending a great deal of valuable time as well as money unnecessarily in *public-houses*; where they are often allured, by low gaming, to squander more than they can afford;

scarcely an instance can be found of accommodating expenditure to the income, even in the best of times with a considerable body of the lowest and more depraved orders of the people inhabiting the capital: hence a melancholy conclusion is drawn, warranted by an estimate generally assumed to be correct, that including gamblers, swindlers, and all classes of criminals and depraved persons, "above twenty thousand individuals rise, every morning, without knowing how or by what means, they are to be supported through the passing day; and in many instances even where they are to lodge on the succeeding night."

Allured and deceived by the opportunities which pawnbrokers and the old iron shops afford, to enable labouring people, when they marry, and first enter upon life, to raise money upon whatever can be offered as a pledge, or for sale; the first step with too many is generally to dispose of wearing apparel and household goods; and this is frequently done on the slightest occasion, rather than forego the usual gratification of liquor.—Embarrassments are the speedy consequence of this line of conduct, which is often followed up by idleness and inactivity.—The alehouse is now again resorted to as a desperate remedy, where the lazy and dissol-

will always find associates, who being unwilling to labour, resort to crimes for the purpose of supplying an unnecessary extravagance.

It is truly pitiable to behold the abject condition of the numerous classes of profligate parents, who, with their children, are, from invincible and growing habit, constantly to be found in the tap-rooms of public-houses, spending, in two days, as much of their earnings as would support them a week comfortably in their own dwellings; destroying their health; wasting their time; and rearing up their children to be prostitutes and thieves, before they can distinguish between right and wrong.

In the city of London, and within the bills of mortality, there are at present 5204 licensed public-houses, and it is calculated that the money expended in beer and spirits in these receptacles of idleness and profligacy, by the *labouring people only*, is upwards of *three millions sterling a year**.

A moment's

* If a conclusion may be drawn from the greater degree of sobriety, which seems manifested at present by the labouring people, evinced by a decrease in the number of quarrels and assaults, and by the difficulty in obtaining the necessaries of life being apparently less than in the spring of 1795, notwithstanding no charities have been distributed, and bread is considerably higher:—it

A moment's reflection will shew how much these unfortunate habits tend to destroy the moral principle, and to engender crimes.

The period is not too remote to be recollected, when it was thought a disgrace for a woman (excepting holiday occasions) to be seen in the tap-room of a public house: but of late years the obloquy has lost its effect, and the public tap-rooms of many alehouses are filled with men, women, and children, on all occasions where the wages of labour are too often exchanged: indulgencies ruinous to health; and where lessons of vice and profligacy are imbibed, totally destructive to the morals of adults, as well as of the rising generation.

In tracing the causes of the increase of public predation by means of robberies, pilferings, and frau-

would seem reasonable to attribute this favourable change to the high price of *gin*. This baneful liquor being now in a great measure *inaccessible*, the ranks have it in their power to apply the money, formerly spent in this way, the purchase of provisions—perhaps to the extent of an *hundred thousand pounds a year* in the metropolis alone! If this fact is assumed, it is impossible to reflect without great satisfaction on the actual gain, which results to the nation from the preservation of the health of persons whose lives are shortened by immoderate use of ardent spirits.—In the labour of adults, the benefit to the nation, arising from sobriety in the mass of the people, is at least one hundred fold in length of life, and productive industry.

much must be attributed to ill-conducted public-houses.

The proper regulation of those haunts of idleness and vice becomes then the *ground-work of any rational plan of reform*.—Infinite attention ought to be bestowed in the selection of persons fit to be entrusted with licences; as on this depends the preservation of the morals of the people, in a greater degree than on any one measure proposed in the course of this work.

Instead of being men of sober manners and of good moral character, a little inquiry will shew that a considerable proportion of the present alehouse keepers in the metropolis are men of no respectability; disposed to promote drunkenness, low games, and every species of vice that can be the means of increasing their trade; while not a few of them are connected with highway-men, common thieves, and coiners, venders and utterers of base money.

An ill-regulated public-house is one of the greatest nuisances which can exist in civil society.—Through this medium crimes are increased in an eminent degree.—Its poison spreads far and wide.—It may be truly said to be a seminary for rearing up rogues and vagabonds.

It

It is in such houses that thieves and fraudulent persons find an asylum, and consult how and where they are to commit depredations on the public.—It is here that apprentices, and boys and girls of tender years, are to be found, engaged in scenes of lewdness and debauchery; and, in fine, it is in such places that almost every vice which disturbs or interrupts the peace and good order of society, has its origin.

The first cause of this extensive evil originates in the number of superfluous houses which have been inadvertently licensed.

Of these there are seldom less than *one thousand* w^o change masters every year, in the metropolis alone; many of them three or four times over.

The result is, that while so many public-houses are constantly at market, persons of worthless, profane and criminal characters, become the purchasers; this will ever be the case, while no limits are set to the number in each district; and while the present *mark of security is in practice*, by permitting one public-house to be bound for another, in the small penalty of *ten pounds*.

* At present the legal recognizance is only for *10 L*.—It has continued for upwards of *230* years, since the reign of Edward VI. when the sum fixed on was, according to the present decrease of the value of money, more than the *50 L*. now proposed.

for the performance of duties, the most important and sacred which are known to exist in civil society; since a breach of them saps the foundation of all morals.

OF HOW MUCH IMPORTANCE THEREFORE IS IT FOR MAGISTRATES TO ESTABLISH CORRECT SYSTEMS FOR WATCHING OVER THE CONDUCT OF PUBLICANS, AND FOR REGULATING PUBLIC-HOUSES? —EVERY THING THAT TENDS TO THE PREVENTION OF CRIMES; TO THE COMFORT AND HAPPINESS OF THE LABOURING POOR; AND TO THE ESSENTIAL INTERESTS OF THE STATE, AS REGARDS THE MORALS AND HEALTH OF THE LOWER RANKS, IN CHECKING THEIR PREVAILING PROPENSITY TO DRUNKENNESS, GAMING, AND IDLENESS; DEPENDS, IN A GREAT MEASURE, ON THE VIGILANCE AND ATTENTION OF THE CIVIL MAGISTRATES: WHOSE POWERS TO DO GOOD IN THIS RESPECT SHOULD BE EXTREMELY AMPLE, AND THESE ONLY REQUIRE TO BE EXERTED WITH ATTENTION, MILDNESS, AND PRUDENCE, JOINED TO FIRMNESS AND GOOD JUDGMENT, IN ORDER TO PRODUCE THE HIGHEST GOOD.

LET THEN THE NUMBER OF PUBLIC-HOUSES ASSIGNED TO EACH LICENSING DIVISION BE LIMITED

MITTED BY LAW; AND
CENSED, UNLESS THERE
OF INHABITANTS (BY MI
BUILDINGS OR MANUFA
BOURHOOD) EQUAL TO I
ING THOSE EMPLOYED I

NEXT, LET NO PERSON
CAN PRODUCE A RESPONS
IS NOT A PUBLICAN, T
NIZANCE ALONG WITH H
VIOUR, IN THE SUM O
SHALL BE FORFEITED
DRUNKENNESS, OR ANY
TO BE SPECIFIED IN T
FORM AND OBLIGATION
DERNIZED, ALTERED, A
GREAT BENEFIT OF THE

S E C T. XXVI.

LICENSES.

ATTACHED to the laws and government of his country, even to a degree of enthusiasm, the author of this work will not be too prone to seek for greater perfection in other nations; or to quote them as examples to be imitated in the center of the British empire; and still less if such examples should tend, in the slightest degree, to abridge that freedom which is the birth-right of every Briton.—But as all *true* liberty depends on those fences which are established in every country, for the protection of the persons and property of the people, against every attack whatsoever: and as *prejudices* ought to be banished from the mind, in all discussions tending to promote the general weal, we ought not to be ashamed of borrowing good systems from other nations; wherever such can be adopted, consistent with the constitution of the country, and the liberty of the subject.

VOL. II.

X x

The

The author is not so presumptuous as to expect in a matter of so much importance, those suggestions which he has offered to the consideration of the public, are either to be immediately approved of, or such as to be adopted.—Some are obvious at first view, as protective steps, in their nature unobjectionable; others require to be well considered and accurately examined.

The necessity of licensing *publicans* has been admitted, and its utility allowed.—What we propose here, is that the dealers hereafter to be mentioned shall also be registered, and securities given; and it would be well if they were obliged to give in inventories of their property from time to time, to prevent their receiving goods: for if there were no receivers, there would be few or no thieves.—The persons who should have license, with proper securities, are

1. Publicans licensed to sell ale or other liquors.
2. Pawn-brokers.
3. Watch-makers.
4. Buyers of gold and silver.
5. Refiners of gold and silver.
6. Working and other silversmiths.

7. Dealers in old and second-hand furniture.
8. Brokers in second-hand goods.
9. Dealers in old building materials.
10. Stable-keepers, and persons letting horses for hire.
11. Boilers of horse-flesh and other animals for profit.
12. Dealers in old and second-hand naval stores, junk, and hand-stuff.
13. Dealers in rags and hand-stuff.
14. Dealers in second-hand wearing apparel, bed, and table linen.
15. Itinerant dealers in wearing apparel and other articles.
16. Dealers in old iron, brass, copper, pewter, lead, and other metals.
17. Purchasers of old iron, brass, copper, pewter, lead, and other metals for manufacturing.
18. Founders and others keeping crucibles, or other vessels for melting old metals.
19. Persons being dealers in any of the above articles, keeping draught or truck carts.

THE SYSTEM OF INSPECTION, THUS STRONGLY AND REPEATEDLY RECOMMENDED, WHILE IT REMEDIED THESE CORRUPT PRACTICES, BY PREVENTING THE EXISTENCE OF THE EVIL, COULD ONLY BE DISAGREEABLE TO FRAUDULENT DEALERS.—THE HONEST AND FAIR TRADESMEN, ENTERING INTO COMPETITION WITH MEN WHO CARRY ON BUSINESS BY FRAUDELENT DEVICES, ARE NOT UPON AN EQUAL FOOTING.—SUCH FAIR TRADERS WHO HAVE NOTHING TO DREAD, WOULD THEREFORE REJOICE AT THE SYSTEM OF INSPECTION WHICH IS PROPOSED, AND WOULD SUBMIT TO IT CHEERFULLY; AS HAVING AN IMMEDIATE TENDENCY TO SHIELD THEM FROM FRAUDULENT COMPETITION, AND TO PROTECT THE PUBLIC AGAINST KNAVERY AND DISHONESTY.

SECT. XXVII.

RECEIVERS.

IN contemplating the shocking catalogue of human depravity, before the mind shall imbibe unfavourable impressions, it may be necessary to remind the reader, that in order justly to appreciate the moral turpitude which attaches to such a host of individuals, in many respects deluded and misled by the numerous temptations which assail them, it must be measured by a scale proportioned to the unparalleled extent and opulence of the metropolis, and to the vast amount of moving property there.—LONDON is not only the grand magazine of the British empire, but also the general receptacle for the idle and depraved of almost every country, and certainly from every quarter of the dominions of the crown ; where the temptations and resources for criminal pleasures, gambling, fraud, and depredation, as well as for pursuits of honest industry, almost exceed imagination ; since, besides being the seat of government, and the

centre of fashion, amusements, dissipation, extravagance and folly, it is not only the greatest commercial city in the universe, but perhaps one of the first manufacturing towns that is known to exist *.

Under these circumstances, while immorality, licentiousness, and crimes, are known to advance in proportion to riches, it is much to be lamented that in the rapid and progressive increase of the latter, sufficient attention has not been bestowed on the means of checking the enormous strides made by the former.

This is to be attributed principally to those deficiencies and imperfections in the system of police, which have been explained and pointed out.

It opens a wide field for doing good, to men of opulence

* The ensuing abstract of the imports into, and the exports from, the port of London is made up from the public accounts for one year, ending the 31st day of January, 1795: but differs with regard to the value from these accounts, in which the price is estimated on data established many years ago when the articles of commerce imported and exported were not rated at above half the sum they now fetch, *exclusive* of duty.

It is therefore to be understood, that the following estimate is made up the data of the *present value* as nearly as it can be ascertained. It exhibits very astonishing picture of the immense opulence and extent of the commerce of the metropolis; and accounts, in a very satisfactory manner, for the vast resources of the country, which have been manifested in so eminent a degree in the course of the present and former wars.

ce, talents, and virtue; to *patriots* and *philanthropists*
to love their country and glory in its prosperity.

Such

es of the countries.	Value of Imports into London.	Value of Exports from the Port of London to Foreign Parts.			
		Brit. Manufactures.	Foreign Merchandise		
W. Indies	2,209,501 3 4	168,687 18 3	914,352 4 4		
ered Islands	6,072,117 5 0	2,249,043 13 11	579,453 6 0		
ner. Colonies	1,226,064 13 8	260,976 0 11	110,817 18 0		
ey & Jersey	307,412 13 0	654,842 19 4	251,551 6 2		
tar	91,936 1 2	12,001 13 20	21,616 16 8		
as Bay	17,947 16 8	83,473 14 11	69,315 2 8		
Fishery	14,696 4 2	2,029 18 11	2,550 16 2		
achud. E. Ind.	197,680 8 6	21 6 8			
	8,916,950 2 10	3,398,680 1 4	185,190 16 0		
	66,013 8 4	90,593 12 9	188,743 16 6		
y	641,860 19 2	32,065 12 0	123,776 7 2		
ts	8,389 14 0				
	82,107 16 0	6,203 17 11	16,305 7 2		
	1,215,012 15 0	80,980 18 9	340,786 0 8		
	1,070,697 18 0	205,096 4 4	265,169 3 4		
al	644,610 3 8	182,780 6 2	119,813 12 6		
ra	7,479 16 8	27,993 6 10	6,886 18 2		
es	6,763 19 10	20,116 18 4	377 5 2		
	130 6 8	3,216 5 3	63,625 10 6		
an Flanders	137,249 5 0	129,413 9 7	887,642 18 10		
d	1,203,515 3 6	114,458 3 7	1,968,687 3 4		
ny	1,089,307 19 4	1,044,634 18 0	6,176,100 14 8		
	19,6,657 3 2	54,380 14 0	272,719 17 4		
	104,978 10 4	7,022 11 10	57,067 2 4		
n	262,727 3 4	33,845 5 6	111,457 14 4		
	1,269,688 9 6	95,519 8 8	49,244 9 2		
ark & Norway	166,366 1 0	147,340 5 11	545,509 19 8		
land	26,753 11 2				
tes of America	811,511 18 8	2,251,280 12 1	429,248 7 8		
	16,239 16 0	38,067 0 3	8,855 0 0		
n West Indies	56,240 2 0	1,767 13 10	69 0 0		
Goods	1,572,868 8 8		included in the ac. of each country.		
	£ 29,706,476 : 17 : 4	£ 11,396,539 : 13 : 8	£ 14,208,915 : 14 : 6		

RECA-

Such men will speedily discover through this medium that, like the Roman government when enveloped in

RECAPITULATION.		
The aggregate value of goods imported into London in one year	- - - - -	£29,706,476 17
British merchandise exported	-	£11,396,539 13 8
Foreign merchandise, ditto	-	14,208,915 14 6
		<hr/> 25,605,455 8
Value of goods imported in upwards of 9000 coasting vessels, averaged at £500 each	-	£4,500,000 0 0
Value of goods exported coastways in about 7000 vessels, at £1000 each	- -	7,000,000 0 0
		<hr/> 11,500,000 0

Total amount of property shipt and unshipt in the River Thames in the course of a year, estimated at - £66,811,932 : 5

Besides the numerous small inland cargoes of coals, merchandise, grain, flour, and other articles, laden and discharged in the Thames, and River Lee; and also the tackling, apparel, provisions, and stores, of about 23,500 ships and vessels (including their repeated voyages), which lade unlade in the course of a year, estimated (in what may be called *moving property*, liable to depredation and plunder) at *four millions* sterling more!

London, from being a great *depot* for all the manufactures of the country, and also the goods of foreign nations as well as colonial produce, is only the first commercial city that is known at present to exist, but is also of the greatest and most extensive manufacturing towns perhaps in the world, combining in one spot every attribute that can occasion an assemblage of moving property, unparalleled in point of extent, magnitude, and value, the whole globe. From inquiry, it appears that above 13,500 vessels, including their repeated voyages, arrive at, and depart from, the port of London, with merchandise, in the course of a year; besides a vast number

riches and luxury, the national prosperity may be of short duration; that the same calamities are to be dreaded wherever public morals are neglected, and no effectual measures adopted for the purpose either of checking the alarming growth of depravity and crimes, or of guarding the rising generation against evil examples;

river craft, employed in the trade of the interior country, bringing and carrying away property, estimated at *seventy millions sterling*.—

In addition to this, it is calculated, that above 40,000 waggons and other carriages, including their repeated journeys, arrive and depart laden, in both instances, with articles of domestic, colonial, and foreign merchandise; occasioning a transit of perhaps (when cattle and provisions, sent for the consumption of the inhabitants, are included) *fifty millions more*. If we take into the account the immense quantity of merchandise and moveable property of every species and denomination, deposited in the various *maritime magazines, timber-yards, piece-goods' warehouses, shops, manufactories, store houses, public markets, dwelling-houses, inns, new buildings, and other repositories*, and which pass from one place to another, it will establish a foundation for supposing that, in this way, property to the amount of *fifty millions more* at least, is annually exposed to depredation; making a sum of *one hundred and seventy millions*, independent of the moving articles in ships of war and transports, and in the different arsenals, dock-yards, and repositories in the Tower of London, and at Deptford, Woolwich, Sheerness, and various smaller magazines, in the daily course of being received and sent away, supposed to amount to *fifty millions more*; making in the whole an aggregate sum of *two hundred and twenty millions*. Thus an immense property becomes exceedingly exposed, in all the various ways; and the *estimated amount of the annual depredations* (large as it is) will cease to be a matter of surprise, if measured by the enormous scale of property above particularized: although it amounts to *two millions one hundred thousand pounds sterling*, it sinks to a trifle, in contemplating the magnitude of the capital, scarcely reaching one per cent. on the value of property passing in transit in the course of a year.

3
which are exhibited in the greater degree than was peculiarly among the lower r

It is therefore earnestly to be desired that the publication of this work may excite a desire for the adoption of such measures as will tend to the improvement of the moral character of the people, to remove the danger and to prevent the existence of such a multitude of delinquents to

The sole intention of the author in exposing these accumulated wrongs, is to impress the minds of the people of this country against the apprehensions which are so frequently entertained from the existence of such a criminal confederacy.—That these apprehensions are well founded is evident, in all instances where the laws of the country exist, *remedies* are uniformly provided for the punishment of offenders such as have forced them to commit crimes, and which are not to be inferred from practical observation, or from the speculations of speculative theories.—They are however well founded, inasmuch as they perfectly accord with the principles of justice, and that their adoption will be of great service in purifying the constitution which

One of the chief nurseries of crimes is to be traced to the *receivers* of stolen property.

If these mischievous and criminal assistants were not suffered to exist, there would be fewer encouragements to criminal depredations upon the public.

Without that easy encouragement which receivers hold out, by administering immediately to the wants of criminals, and concealing what they purloin, a thief, a robber, or a burglar, could not carry on his trade.

And yet, conclusive and obvious as this remark must be, it is a sorrowful truth, that in the metropolis alone there are at present supposed to be upwards of *three thousand receivers* of various kinds of stolen goods; and an equal proportion all over the country, who keep open shop for the purpose of purchasing at an under-price—often for a mere trifle,—every kind of property brought to them; from a nail, or a glass-bottle, up to the most valuable article either new or old; and this without asking a single question.

It is supposed that the property, which is purloined and pilfered, in a little way, from almost every *family*, and from every *house, stable, shop, warehouse, workshop, foundery, and other repository*, in and about the metropolis, cannot amount to less than £710,000 a year,

exclusive of what is pilfered from ships in the River Thames; which, it is calculated, according to estimates which have been made, amounts to about half a million sterling more, including the stores and materials! When to this is also added the pillage of his majestys stores, in ships of war, dock-yards, and other public repositories, the aggregate will be found, in point of extent, almost to exceed credibility!

It is a melancholy reflection to consider how many individuals, young and old, who are not of the class description of common or even reputed thieves, are implicated in this system of depredation; who would probably have remained honest and industrious, had it not been for the easy and safe mode of raising money, which these numerous *receivers* of stolen goods hold out, every bye-street and lane in the metropolis: in the houses, although a beggarly appearance of old iron, rags, or second-hand clothes, is only exhibited, the back apartments are often filled with the most valuable articles of ship stores, copper bolts and nails, brass and other valuable metals, West-India produce, household goods and wearing apparel; purchased from artifice labourers in the docks, lumpers, glutmen, menial servants, apprentices, journeymen, porters, chimney sweepers

sweepers, itinerant Jews, and others; who, thus encouraged and protected, go on with impunity, and without the least dread of detection, in supplying the numerous imaginary wants which are created in a large capital, by plundering every article not likely to be missed, in the houses or stables of men of property; or in the shops, warehouses, foundries, or work-shops of manufacturers; or from new buildings, from ships in the river, and also from his Majesty's stores, and other repositories; so that in some instances, the same articles are said to be sold to the public boards three or four times over.

Thus the moral principle is totally destroyed among a vast body of the lower ranks of the people; for wherever prodigality, dissipation, or gaming, whether in the lottery or otherwise, occasions a want of money, they avail themselves of every opportunity to purloin public or private property; recourse is then had to all those tricks and devices, by which even children are enticed to steal before they know that it is a crime; and to raise money at the pawnbrokers, or the old iron or rag shops, to supply the unlawful desires of profligate parents.

Hence also, servants, apprentices, journeymen, and
in

in short, all those classes of labouring people who have opportunities of purloining the property of their masters, their employers, or the public, are led astray by temptations to spend money, which occur in this metropolis, and by the facility afforded through these numerous *receivers* of stolen goods; who administer their pecuniary wants, on every occasion, when they can furnish them with any article of their ill-gotten plunder.

The deficiency of our criminal laws, in not extending some regulations to this numerous class of dealers in old metal, stores, and wearing apparel, is too obvious to require illustration; and their success in encouraging depredations, as well as the progressive accumulation of these pests of society is proved, by their having increased from about 300 to 3000 in the course of the last twenty years, in the metropolis alone!

The like deficiency extends also to the more latent receivers, who do not keep open shop; but secretly support the professed robbers and burglars, by purchasing their plunder the moment it is acquired; which latter class there are some who are said to be extremely opulent.

Many regulations of police, as well as salutary laws

might

might be usefully established, for the purpose of checking and embarrassing these criminal people, so as to render it extremely difficult, if not impracticable for them in many instances, to carry on their business without the greatest hazard of detection.

But such laws must not be placed upon the statute-book as a kind of dead letter, only to be brought into action when accident may lead to the detection, perhaps of one in a thousand.

If the evil is to be cured at all, it must be by such plans as will establish an active principle, under proper superintendance, calculated to prevent every class of dealers, who are known to live partly or wholly by fraud, from pursuing those illegal practices; which nothing but a watchful police, aided by a correct system of restraints, can possibly effect.

Such restraints, while they will assist the honest and fair dealer, will also protect the public, as well as merchants, and all ranks of the community, who have any property to lose, from the numerous depredations and thefts which are now committed; and the moral principle will be also, in some degree, preserved, by reason of the difficulties which will occur in the disposal of stolen property.

Nor

Nor ought it to be argued, that the restraints which may hereafter be proposed, will affect the liberty of the subject; since it is perfectly consistent with the spirit of our ancient laws, to restrain persons from doing evil, who are likely to commit offences; the restrictions can affect only a very few, comparatively speaking; and those too such whose criminal conduct has been the principal, if not the sole cause, of abridging the general liberty; while it subjected to risk, and to danger of life and property, the great mass of the people.

Whenever dealers, of any description, are known to encourage or to support crimes, or criminal or fraudulent persons, it becomes the indispensable interest of the state, that they should be restrained from pursuing at least the mischievous part of their trade; and that provisions should be made for carrying the laws strictly and regularly into execution.

Restraints of a much severer nature attach to all trades upon which a revenue is collected; can it then be considered as any infringement of freedom, to extend a milder system, to those who not only destroy liberty but invade property?

The present state of society and manners calls aloud for the adoption of this principle of regulation, as the only

only practicable means of preserving the morals of a vast body of the community; and of preventing those numerous and increasing crimes and misdemeanors, which are ultimately attended with as much evil to the perpetrators as to the sufferers.

If such a principle were once established, under circumstances which would insure a correct and regular execution; and if, added to this, certain other practicable arrangements should take place (which will be discussed in their regular order in these pages) we might soon congratulate ourselves on the immediate and obvious reduction of the number of thieves, robbers, burglars, and other criminal and fraudulent persons in this metropolis.—Not being able to exist, or to escape detection, without the aid, the concealment, and the opportunities, afforded at present by the multitude of receivers spread all over the capital, they would be compelled to abandon their evil pursuits, as no less unprofitable and hazardous, than they are destructive.

Let the strong arm of the law, and the vigour and energy of the police, be directed in a particular manner against *receivers*; and the chief part of those robberies and burglaries, which are so much dreaded, on account of the acts of violence which attend them, *would absolutely*

hately cease to exist :—and the resource for plunder being thus narrowed in so great a degree, robberies on highway would *alone* seldom answer the purpose of adventurer; where the risk would be so exceeding multiplied, while the advantages were in the same proportion diminished;—the result therefore would be, that in *the suppression of the receivers*, the encouragement become thieves and robbers would be taken away: the present depreulators upon the public must either turn to honest labour as useful members of the state, submit to starve.

It rarely happens that thieves go upon the highway or commit burglaries, until the money they have previously acquired is exhausted.—Having laid their plan for new depredations, a negociation is frequently entered upon with the most favourite receiver, who (to their own language) is likely to be *staunch*, and keep their secrets.—The plan is explained.—Some quorum is drank to the good of the enterprize, and the hour fixed when they are to return with the booty: the plate is expected, the crucible is ready in a small furnace built for the purpose, instantly to melt it, and arrangements are made for the immediate concealment of the other articles.

The

There are, however, exceptions to this rule, where the receivers are not trusted, till the booty is acquired; and where it is in the first instance removed to the houses of the thieves, or to some of their friends; but it seldom remains longer than may be necessary to obliterate the marks: for money must be procured.—All thieves are improvident;—their wants are therefore pressing—they *must* sell—the receiver knows this, and makes his own terms;—and he of course enjoys by far the largest share of the profit.

The plunder thus purchased, finds a ready vent, through the extensive connections of the Jew dealers, both in this country and upon the continent: and from the facts already stated in the course of this work, it may be easily conceived that the trade is not only extensive, but that the profit is immense, since it rarely happens (except in the article of plate) that thieves receive to the amount of above one third or one fourth of the value of what is stolen.

In contemplating the best means of preventing degradations upon the public, the simplest, and perhaps the most effectual, mode would be to *make a stand at this particular point*; by bending the attention wholly to the

means of destroying effectually *the trade of receiving stolen goods*; under the fullest conviction that by accomplishing so valuable a purpose, thieving and swindling in all its branches would also in a great measure be destroyed.

It is believed, that this object (difficult as it may appear) is attainable, by well-digested applicable laws, containing and enforcing such regulations as would ensure full and energetic execution.

The importance of a measure of this kind is so immense, that if even a considerable part of one session parliament were employed in devising and legalizing a proper system, it would be time well and usefully spent for the benefit of the country.

The obvious means of remedy seem to lie within a narrow compass; and may be summed up under the following heads:—

I. To consolidate and improve the laws now in being relative to *receivers of stolen goods*; by an arrangement which shall render the whole *clear and explicit* and applicable to all the evils which have been felt to exist.

II.

II. To make the following additions, namely—

1. To make the receiving stolen goods an *original offence*; punishable in the same manner, in all cases, as the principal felons are punishable by law.
2. The offence of receiving *money, bank-notes, horses, cattle, poultry, or any matter or thing whatsoever*, to be the same as receiving *goods and chattels*.
3. The persons committing any felony or larceny to be competent to give evidence against the receiver, and *vice versa*; provided that the testimony and evidence of such principal felon against the receiver, or the evidence of the receiver against the principal felon, shall not be of itself sufficient to convict, without other concurrent evidence: and that the offenders so giving evidence shall be entitled to his Majesty's pardon, and also to a reward from 10*l.* to 50*l.* unless they shall be found guilty of wilful and corrupt perjury. — *By this means the thief will be set against the receiver, and the receiver against the thief.*
4. That rewards be paid for the detection and apprehension of receivers as well as thieves, in all cases whatsoever, according to the discretion of the judge; *whether*

SECT. XXVIII.

INSURANCES, ETC.

IT has been often observed in this work, that government was designed for the benefit of the governed, and therefore ought to be paternal.—The principle is often forgot, and the bread of the people for the sake of revenue is converted into poison, and the seeds of the worse vices are implanted from the same indefensible motive.—Lotteries are established, and men become rich without industry, and the worse crimes are encouraged, and the only excuse given is, “ money must be got.”

Previous to the years 1777 and 1778, *gaming*, although at all times an object (as appears from the statu books) highly deserving attention, and calling for the exertions of magistrates, never appeared either to have assumed so alarming an aspect, or to have been conducted upon the methodized system of partnership-con-

cerns, wherein pecuniary capitals are embarked, till after that period, when the vast license which was given to those abominable engines of fraud, E O tables, and the great length of time which elapsed before a check was given to them by the police, afforded a number of dissolute and abandoned characters, who resorted to these baneful subterfuges for support, an opportunity of acquiring property: this was afterwards increased in low gaming-houses, and by following up the same system at Newmarket and other places of fashionable resort, and in the lottery: until at length, without any property at the outset, or any visible means of lawful support, a sum of money, little short of *one million sterling*, is said to have been acquired by a class of individuals originally (with some few exceptions) of the lowest and most depraved order of society.—This enormous mass of wealth (acquired, no doubt, by entailing misery on many worthy and respectable families, and of driving the unhappy victims to acts of desperation and suicide), is now said to be engaged as a great and efficient capital for carrying on various illegal establishments; particularly gaming-houses, and shops for fraudulent insurances in the lottery; together with such objects of dissipation as the races at Newmarket, and other places of *fashionable* re-

sort, hold out: all which are employed as the means increasing and improving the ill-gotten wealth of the parties engaged in these nefarious pursuits.

A system, grown to such an enormous height, has of course, its rise by progressive advances — Several those who now roll in their gaudy carriages, and associate with some men of high rank and fashion, may be found upon the registers of the Old Bailey; or traced in the vagrant pursuit of turning, with their own hands at the E O tables, in the open streets: these mischievous members of society, through the wealth obtained by a course of procedure diametrically opposite to law; are, by strange perversion, sheltered from the operation of the justice, which every act of their lives has offended: they bask in the sunshine of prosperity; while thousands who owe their distress and ruin to the horrid designs they have executed, invigorated, and extended, are pining in misery and want.

Certain it is, that the mischiefs arising from the rapid increase, and from the vast extent, of capital now employed in these systems of ruin and depravity, have become great and alarming beyond calculation; as will be evinced by developing the nature of the very dangerous confederacy which systematically moves and directs the

vast machine of destruction—composed in general of men who have been reared and educated under the influence of every species of depravity which can debase the human character.

Wherever interest or resentment suggest to their minds a line of conduct calculated to gratify any base or illegal propensity, it is immediately indulged.—Some are taken into this iniquitous partnership for their dexterity in securing the dice ; or in dealing cards at pharo.—Informers are apprehended and imprisoned upon writs, obtained by perjury, to deter others from similar attacks.—Witnesses are suborned—officers of justice are bribed, wherever it can be done, by large sums of money—ruffians and bludgeon-men are employed to resist the civil power, where pecuniary gratuities fail—and houses are barricadoed and guarded by armed men : thereby offering defiance to the common exertions of the laws, and opposing the regular authority of magistrates.

It is impossible to contemplate a confederacy thus circumstanced, so powerful from its immense pecuniary resources, and so mischievous and oppressive from the depravity which directs these resources, without feeling an anxiety to see the strong arm of the law exerted for the purpose of effectually destroying it.

Whilst one part of the immense property by this confederacy is so strongly fortified is employed establishment of *gaming-houses*, holding out the fascinating allurements to giddy young *men* of ~~and~~ and others, having access to money, by means of splendid entertainments*, and regular suppers abundance of the choicest wines, so as to form a lounge for the dissipated and unwary ; another the capital is said to form the stock which compre various pharo-hanks which are to be found at the *of ladies of fashion* : thus drawing into this vortex quity and ruin, not only the *males*, but also the *of the giddy and opulent part of society* ; who to become a prey to that thoughtless vanity which frely overpowers reason and reflection ; nor is the d terminated till it is often too late.

Evil example, when thus sanctioned by appar spectability, and by the dazzling blandishments of and fashion, is so intoxicating to those who have suddenly acquired riches, or who are young and pericened, that it almost ceases to be a matter of

* The expence of entertainments at a gaming-house of the highest during the eight months of the last season, has been said to exceed ~~50~~ guineas ! What must the profits be to afford such a profusion ?

that the fatal propensity to gaming has become so universal; extending itself over all ranks in society in a degree scarcely to be credited, but by those who will attentively investigate the subject.

At the commencement of the troubles in France, and before this country was visited by the hordes of emigrants of all descriptions, who fixed a temporary or permanent residence in this metropolis, the number of gaming-houses (exclusive of those that are select, and have long been established by subscription) did not exceed above *four* or *five*: at the present moment, above *thirty* are said to be actually open; where, besides *pharo* and *bazard*, the foreign games of *roulet*, and *rouge et noir*, have been partly introduced; and where there exists a regular gradation of establishment, accommodating to all ranks; from the man of fashion, down to the thief, the burglar, and the pick-pocket—where immense sums of money are played for every evening, for eight months in the year, and from whence incalculable mischiefs arise.

In a commercial country, and in a great metropolis, where, from the vast extent of its trade and manufactures, and from the periodical issue of above twenty millions annually, arising from dividends on funded security,

curity, there must be an immense circulation of property, the danger is not to be conceived, from allurements which are thus held out to young men in business, having the command of money, as well as the clerks of merchants, bankers, and others connected in different branches of trade: in fact, it is well known that too many of this class resort at present to the destructive scenes of vice, idleness, and misfortune.

The mind shrinks with horror at the existence of such a system in the metropolis, unknown to our ancestors even in the worst periods of their dissipation; a *Ward*, a *Waters*, and a *Chartres*, insulted public opinion by their vices and their crimes: for then no such establishments—no systematic concerns for carrying on this nefarious trade, were known.—Partnerships in gaming-houses, conducted on the principles of commercial establishments, is a new idea in this country, until the last seven or eight years, had very little existence in the metropolis.

But these partnerships are not confined to gaming-houses alone.—A considerable proportion of the immense capital which the conductors of the system have at their command is employed periodically in the *two lotteries*, in *franchise insurances*, where, like the pharo bank, the chan-

so calculated as to yield about 30 *per cent.* profit to the gambling proprietors; and, from the extent to which these transactions are carried, no doubt can be entertained that the annual gains must be immense.—It has, indeed, been stated, with an appearance of truth, that one individual acquired no less than 60,000*l.* by the last English lottery!

Although it is impossible to be perfectly accurate in any estimate which can be formed; for in this, as in all other cases where calculations are introduced in this work, accuracy to a point is not to be expected; yet when all circumstances are considered, there appear just grounds to suppose that the following statement, placing the whole in one connected point of view, may convey to the reader no very imperfect idea of the vast and unparalleled extent of this horrid mischief.

GAMING.

	Persons attached.	Money played for nightly.	Fearly ag- gregate loft and won.
1. Seven subscription houses open one-third of the year, or 100 nights, suppose	- 1000	- 2000	- 1,400,000
2. Fifteen houses of a superior class one-third of the year, or 100 nights	- - - - 3000	- 2000	- 3,000,000
3. Fifteen houses of an inferior class one-half of the year, or 150 nights	- - - - 3000	- 1000	- 2,225,000
4. Six ladies gaming-houses, 50 nights	- 1000	- 2000	- 500,000
			7,225,000
			<i>Fraudulent</i>

Brought forward, - - - - -	£7,225,00
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Fraudulent Insurances in the Lottery.

450 Insurance offices at 100 <i>l.</i> a day average during the 33 days of the Irish lottery - - -	£1,155,000
400 Insurance offices at 150 <i>l.</i> a day average during the 33 days * of the English lottery - - -	1,980,000
	<hr/>
Total - -	3,135,00

This aggregate is only to be considered as shewing the mere interchange of property from one hand to another yet when it is recollect^{ed} that the operation must progressively produce a certain loss, with not many exceptions, to all the innocent and unsuspecting adventurers either at pharo or the lottery, with an almost uniform gain to the proprietors; the result is shocking to reflect upon.—To individual families in easy circumstances where this unfortunate mania prevails, as well as to the mass of the people who are fascinated by the delusion of the lottery insurances, it is the worst of all misfortunes.—By seizing every opportunity to take advantage of this unhappy bias, it is no uncommon thing to see the penniless miscreant of to-day become the opulent gam-

* The longer the lottery continues, the greater the evil. A lottery of 60,000 tickets is therefore a much greater evil than one of 50,000: and that in a ratio more than proportionate to the numbers in each.

bler of to-morrow : leaving the unhappy sufferers often no alternative but exiled beggary, or a prison ; or perhaps rendered desperate by reflecting on the folly of their conduct, to end their days by suicide*, while wives, children, and dependants, are suddenly reduced from affluence to the lowest abyss of misery.

In contemplating these vast establishments of regular and systematic fraud and depredation upon the public, in all the hideous forms which they assume, nothing is so much to be lamented as the unconquerable spirit which draws such a multitude of the lower ranks of society into the vortex of the lottery.

The agents in this iniquitous system, availing themselves of the existence of the delusion, spare no pains to keep it alive ; so that the evil extends far and wide, and the mischiefs, distresses, and calamities resulting from it, were it possible to detail them, would form a catalogue of sufferings of which the opulent and luxurious have no conception.

With a very few exceptions, all the proprietors of the gambling-houses are also concerned in the fraudulent insurance offices ; and have a number of clerks employed

* The gambling and lottery transactions of one individual in this great metropolis, are said to be productive of from ten to fifteen suicides annually.

during the drawing of the
the business without risk, in
insurances are taken; but
not only from all the diffi-
the town, but also from
from door to door taking
poor and the middle ranks t

In calculating the chance
the wheels, and the premi-
generally about $33\frac{1}{3}$ per ce-
insurers; but when it is co-
from not being able to re-
numbers, always fix on lot
of the insurer is greatly inc-
are plundered, to an extent
culation.

— Of how much importanc
at large, to see these evils fi-
novel system annihilated, t
ments are formed upon con-
dical arrangements, with v
most infamous and diabolical

Let those who have acqui-
satisfied with what they hav

their gains have occasioned to ruined thousands : let them abstain from employing it in channels calculated to extend these evils.—The law is generally slow in its operations : but it seldom fails to overtake the guilty at last.

To this confederacy, powerful in wealth, and unrestrained by those considerations of moral rectitude, which govern the conduct of other men engaged in the common pursuits of life, is to be attributed those vast additional hazards to which the young and inexperienced are at present subjected ; hazards which not only did not exist before these establishments were matured and moulded into system, but which are now considerably increased, from its becoming a part of the general arrangements to employ men of genteel exterior (and it is to be feared too, in many instances of good connections), who, having been ruined by the delusion, descend, as a means of subsistence, to accept the degrading office of seeking out those customers, whose access to money render them proper objects to be ensnared.—For such is the nature of this new system of destruction, that while a young man entering upon life, conceives himself honoured by the friendship and acquaintance of those who are considered to be men of fashion, and of good con-

nections, he is deluded by splendid entertainment into the snare, which afterwards robs him of his property and peace of mind.

At no period, therefore, has it been more necessary to exercise caution and prudence than under the circumstances already explained.—Since men, likely to sport away property, are now *sought for*: for they were permitted to *seek out* the road to ruin; but the system adopted in the present situation of things will furnish a guide.

Such are the arrangements of this alarming andchievous confederacy, for the purpose of plundering the thoughtless and unwary.—The evidence given in the Court of King's Bench, in an action, tried for gaming on the 29th November, 1796, fully develops the following system of fraud which is pursued, after the inexperienced and unwary are entrapped into these receptacles of ruin and destruction *.—It ought not only to serve as a be-

* The following is the substance of the most striking parts of the evidence of John Shepherd, in an action for gaming, tried in the King's-Bench, on the 29th November, 1796.

“ The witness saw hazard played at the gaming-house of the defendant in Leicester-street.—Every person who was three times successful, paid to the defendant a silver medal, which he purchased from him on entering the

a beacon to every young man of property carefully to avoid such snares ; but also as an inducement to great

at eight for a guinea, and he received six or seven of these in the course of an hour for the box hands, as it was called. The people who frequented this house always played for a considerable sum. Sometimes 20*l.* or 30*l.* depended on a single throw of the dice. The witness remembered being once at the defendant's gaming-house about three or four o'clock in the morning, when a gentleman came in very much in liquor.—He seemed to have a great deal of money about him.—The defendant said he had not intended to play, but now he would set to with this fellow.—He then scraped a little wax with his finger off one of the candles and put the dice together, so that they came *seven* every way. After doing this, he dropped them into the box and threw them out, and afterwards drew all the money away, saying he had won it.—*Seven* was the main, and he could not throw any thing but *seven*. The young gentleman said he had not given him time to *bar*.—A dispute arose between the defendant and him.—It was referred to two or three persons who were round the table, and they gave it in favour of the defendant.—The gentleman said he had lost upwards of 70*l.*—The defendant said, *we have cleared him*.—The witness has seen a man pawn his watch and ring in several instances ; and once he saw a man pawn his coat and go away without it.

“ After the gaming-table was broken by the Bow-street officers, the defendant said it was too good a thing to be given up, and instantly got another table, large enough for twenty or thirty people.—The frequenters of this house used to play till daylight ; and on one or two occasions, they played all the next day. This is what the defendant called, *sticking to it rarely*. The guests were furnished with wine and suppers gratis, from the funds of the partnership, in abundance. Sunday was a grand day. The witness has seen more than forty people there at a time. The table not being sufficient for the whole, half a crown used on such occasions to be given for a seat, and those behind looked over the back of the others and betted.”

The person above-mentioned (whose name was Smith) who pawned his coat, corroborated the above evidence ; and added, that he had seen a person, after he had lost all his money, throw off his coat and go away, losing it also.

public

public bodies, who employ a number of clerks, as to bankers, merchants, warehousemen, and to warn and admonish the persons entrusted within their employment, of the imminent danger inevitable ruin which an attachment to gaming or lottery must produce; thereby putting them upon guard against the frauds which may be practised to induce them into this fatal vice.

It will also occur to parents and guardians to insist in marking the conduct of young men under their charge, and to warn them of the infamous plots which are laid to work their ruin and destruction.

Nor ought less attention to be bestowed in the case of domestic servants, and the labouring people in general, to prevent their being led into the delusion of the lottery.—An attention to this object would be an act of great charity and humanity, and in its consequences might produce infinite benefit than any sum of money, however extensive it might be, could be raised for a charitable purpose: for it would, in general, prevent the necessity of those liberal donations which become necessary more from the thoughtlessness and improvidence of the persons concerned, than from the ill-regulated œconomy of the lottery players, arising in too many instances from the numerous

tions which a great metropolis affords, than from any actual necessity.

The keepers of unlicensed insurance offices during the drawing of the English and Irish lotteries, during the intervals of such lotteries, have recently invented and set up private lotteries, or wheels, called by the nick-name of Little Go's, containing blanks and prizes, which are drawn for the purpose of establishing a ground for insurance; the fever in the minds of the lower order of the people is thus kept up, in some measure, all the year round, and produces incalculable mischiefs; the rage and spirit of gambling becoming so rooted from habit, that no domestic distress, no consideration, connected either with the frauds that are practised, or the number of chances that are against them, will operate as a check upon their minds.

In spite of the high price of provisions, and of the care and attention of the legislature in establishing severe checks and punishments for the purpose of preventing the evil of lottery insurances, these criminal agents feel no want of customers; their houses and offices are not only extremely numerous all over the metropolis, but in general *high-rented*; exhibiting the appearance of considerable expence, and barricadoed in such a manner, with

with iron doors and other contrivances, as in many instances to defy the arm of the law to reach them.

In tracing all the circumstances of this interesting finesse, with a view to the discovery of the cause of great encouragement which these lottery insurers receive, it appears that a considerable proportion of emolument is derived from *menial servants* in general over the metropolis; but particularly from the perjured male and female domestics in the houses of no fashion and fortune; who are said, almost with single exception, to be in the constant habit of infesting the English and Irish lotteries.

This class of *menials* being in many instances clothed as well as fed by their masters, have not the same inducement upon them as labourers and mechanics, who must appropriate at least a part of their earnings to the purpose of obtaining both food and raiment.

With a spirit of gambling, rendered more ardent by the example of their betters, and from their idle and dissipated habits, servants enter keenly into the lottery business; and when ill luck attends them, it is but too well known how many are led, step by step, to that point where they lose sight of all moral principle; impelled by a desire

to recover what they have lost, they are induced to raise money for that purpose, by selling or pawning the property of their masters, wherever it can be pilfered in a little way, without detection ; till at length this species of peculation, by being rendered familiar to their minds, generally terminates in more atrocious crimes.

Upon a supposition that one hundred thousand families* in the metropolis keep two servants upon an average, and that one servant with another insures only to the extent of twenty-five shillings each, in the English, and the same in the Irish lottery, the aggregate of the whole will amount to **HALF A MILLION STERLING.**

Astonishing as this may appear at first view, it is believed that those who will minutely examine into the lottery transactions of their servants, will find the calculation by no means exaggerated ; and when to this are added the sums drawn from persons in the middle ranks of life, as well as from the numerous class of labourers and artisans who have caught the mania ; it ceases to be a matter of wonder, that so many sharpers, swindlers,

* It is estimated that in the present extended and improved state of the metropolis, there are 162,000 inhabited houses, supposed to contain about 240,000 families, including lodgers of every description, residing in nearly 8,000 streets, lanes, alleys, courts, and squares.

and cheats find encouragement in this particular de-
ment.

If servants in general, who are under the contri-
masters, were prevented from following this abomi-
species of gambling ; and if other expedients were ad-
which will be hereafter detailed, a large propor-
the present race of rogues and vagabonds who follo-
infamous trade, would be compelled to become ho-
and the poor would be shielded from the delusion
impels them to resort to this deceitful and fraudu-
pedient ; at the expence sometimes of pledging eve-
ticle of household goods, as well as the last rag of
own and their children's wearing apparel, not to
even a single change of raiment !

But when our views are extended to the destruc-
morals, and to the shocking waste of time, as w-
the waste of property, which attaches to these pu-
there is no branch of political economy so import-
so truly worthy the systematic attention of men o-
tune and virtue, as the means of checking, by
palliatives, the destructive vices of the labouring p-
—To render them happy they should be taught i-
lity and virtue.—To abandon them to their ill-regi-
passions and propensities, which often arise more
igno-

ignorance than bad intentions, is an act of cruelty to them, and injustice to the community.

THUS IT IS THAT THOSE MULTIFARIOUS CRIMES ARE ENGENDERED, WHICH IT HAS BEEN THE OBJECT OF THE AUTHOR TO DEVELOPE IN THE COURSE OF THIS WORK.—

WHILE, THEREFORE, WE DEPLORE THE MISERABLE CONDITION OF THOSE NUMEROUS CLASSES OF DELINQUENTS WHO HAVE UNFORTUNATELY MULTIPLIED, WITH THE SAME RAPIDITY THAT THE GREAT WEALTH OF THE METROPOLIS HAS INCREASED, WHILE THEIR ERRORS AND CRIMES ARE EXPOSED ONLY FOR THE PURPOSE OF AMENDMENT, A PROSPECT HAPPILY OPENS FOR THE ADOPTION OF THOSE REMEDIES WHICH MAY PROVE THE MEANS OF GIVING A SEASONABLE CHECK TO IMMORALITY AND CRIMES; SO AS, IN THEIR PREVENTION, NOT ONLY TO PROTECT THE PRIVILEGES OF INNOCENCE, BUT ALSO TO RENDER PUNISHMENTS VERY SELDOM NECESSARY.

TO WITNESS THE COMPLETION OF LEGISLATIVE ARRANGEMENTS, OPERATING SO FAVOURABLY TO THE IMMEDIATE ADVANTAGE AND SECURITY OF THE METROPOLIS, AND EXTENDING BY THAT

MEANS THE SAME BENEFITS TO THE COUNTRY
LARGE, WOULD PROVE TO THE AUTHOR OF
WORK A VERY GREAT AND GENUINE SOURCE
HAPPINESS.—TO THE PUBLIC THEREFORE, IN
GENERAL, AND TO THE LEGISLATURE IN PAR-
LAR, DOES HE LOOK FORWARD WITH CONFIDENCE
FOR THAT SINGULAR GRATIFICATION, WHICH
GIVING EFFECT TO HIS WELL-MEANT ENDEAVOUR
FOR THE PREVENTION OF CRIMES, WILL
AMPLY REWARD THE EXERTIONS HE HAS USED
THE COURSE OF A VERY INTRICATE AND LABO-
RIOUS INVESTIGATION; IN WHICH HIS ONLY OBJECT
HAS BEEN THE GOOD OF HIS COUNTRY.

GAMING, THEREFORE, CONSIDERING THE GREAT
MISCHIEFS IT PRODUCES, OUGHT TO BE MORE
SEVERELY PUNISHED BY LAW, AND THE PUNISHMENT
SHOULD BE SOLITARY IMPRISONMENT; REVOCATION
SHOULD BE OFFERED FOR THE CONVICTION OF
GAMESTERS; AND TRANSPORTATION FOR
SHOULD BE THE LOT OF THOSE WHO PERMIT
BANE OF ALL VIRTUE TO BE ACCOMPLISHED IN
HOUSES OF PUBLIC RESORT.—THIS MAY APPEAR
SEVERE, BUT SEVERITY CERTAINLY HERE IS
HIGHEST MERCY TO OTHERS.

SECT. XXIX.

COINING.

THE vast increase, and the extensive circulation of *counterfeit money*, particularly of late years, is too obvious not to have attracted the notice of all ranks. It has become an enormous evil in the melancholy catalogue of crimes which the laws of the country are called upon to assist the police in suppressing.—Its extent almost exceeds credibility; and the dexterity and ingenuity of these counterfeiters have (after considerable practice) enabled them to finish the different kinds of base money in so masterly a manner, that it has become extremely difficult for the common observer to distinguish their spurious manufacture from the worn-out silver from the Mint.—So systematic, indeed, has this nefarious traffic become of late, that the great dealers, who in most instances, are the employers of the coiners, execute orders for the town and country with the same regularity, as manufacturers in fair branches of trade.

Scarce

Scarce a waggon or coach departs from the m
polis, which does not carry boxes and parcels of
coin to the camps, sea-ports, and manufacturing to
insomuch, that the country is deluged with count
money.

In London, regular markets, in various public
private houses, are held by the principal dealers; w
hawkers, pedlars, fraudulent horse-dealers, unlicensed
treasury-office keepers, gamblers at fairs, itinerant Jews,
labourers, servants of toll-gatherers, and hackney-
owners, fraudulent publicans, market-women, rabbis
lers, fish-criers, barrow-women, and many who w
not be suspected, are regularly supplied with cou
feit copper and silver, with the advantage of nearly
per cent. in their favour; and thus it happens,
through these various channels, immense quantiti
base money get into circulation, while an evident d
nution of the Mint coinage * is apparent to every c
mon observer.

It is impossible to reflect on the necessity to which
persons are thus reduced, of receiving and again u

* The current coin is collected in, adulterated, and formed into
silver, which is the worse species of coining. To render it *scarce*, it is all
ried out of the country.

ing, money which is known to be false and counterfeit, without lamenting, that by thus familiarizing the mind to fraud and deception, the *moral principle* is considerably weakened, if not destroyed.

In the nature of things at present, every one must receive base money, and being thus cheated, the parties injured must, knowingly and wilfully, *cheat* in their turn: and it is much to be feared, that when this species of fraud becomes familiar to young minds, it may extend to other transactions of life:—the barrier being broken down in one part, the principle of common honesty is infringed upon, and infinite mischief to the very best interests of society, is the result, in cases at first unthought of.

To permit, therefore, the existence of a silver and copper coinage, such as is now in circulation, is, in fact, to tolerate general fraud and deception, to the ultimate loss of many individuals; for the evil must terminate at some period, and then thousands must suffer; with this aggravation, that the longer it continues, the greater will be the loss of property.

But the mischief is not confined to the counterfeiting of coin, similar to that of the realm.—The avarice and ingenuity of man is constantly finding out new sources

of

of fraud; insomuch, that in London, and in Birmingham, and its neighbourhood, Louis d'ors, half Johann French half crowns and shillings, as well as several coins of Flanders and Germany, are counterfeited; apparently without suspicion, that under the act of 14th of Elizabeth (cap. 3), the offenders are guilty misprision of high treason.

Nor does the evil end here:—not content with counterfeiting the foreign coins of Europe, the ingenie miscreants extend their manufacture to those of India and a coinage of the *star pagoda* of Arcot has been established in London for some years by one person.—The counterfeits, being made wholly of blanched copper tempered in such a manner as to exhibit, when stamped, the cracks in the edges, which are always to be seen on the real pagoda, cost the maker only three half-pence each, after being double gilt.—When finished, they are generally sold to Jews at five shillings a dozen, who dispose of them afterwards at two shillings, three shillings, or even five shillings each; and through the medium, they are introduced by a variety of channels into India, where they are probably mixed with the real pagodas of the country, and pass at their full denominated value of eight shillings sterling.

The *sequins* of Turkey, another gold coin, worth about five or six shillings, have in like manner been recently counterfeited in London:—thus the national character is wounded, and the disgrace of the British name proclaimed in Asia, and even in the most distant regions of India.—Nor can it be sufficiently lamented, that persons who consider themselves as ranking in superior stations in life, with some pretensions to honour and integrity, have suffered their avarice so far to get the better of their honesty, as to be concerned in this iniquitous traffic.

It has been recently discovered that there are at least 120 persons in the metropolis and the country, employed principally in coining and selling base money; and this, independent of the numerous horde of utterers, who chiefly support themselves by passing it at its full value.

It will scarcely be credited, that of criminals of this latter class, who have either been detected, prosecuted, or convicted, within the last seven years, there stand upon the register of the solicitor to the Mint, no less than 608 names!—And yet the mischief increases rapidly.—When the reader is informed, that two persons

can finish from 200*l.* to 300*l.* (nominal value) in silver in *six days*; and that three people, within the same period will stamp the like amount in copper; takes into the calculation the number of known coiners, the aggregate amount in the course of a year will be found to be immense.

The causes of this enormous evil are, however, fully developed.—The principal laws relative to counterfeiting coin having been made a century ago, the trick devices of modern times are not sufficiently provided against: when it is considered also, that the offence of dealing in base money (which is the main spring of the evil) is only punishable by a slight imprisonment; several offences of a similar nature are not punishable at all, by any existing statute; and that the detection of actual coiners, so as to obtain the proof necessary for conviction, required by law, is, in many instances, impracticable; it is not to be wondered at, when the profit is so immense, with so many chances of escape from punishment, that the coinage of, and traffic in, counterfeit money has attracted the attention of so many principled and avaricious persons.

This enormity, however, may, like others already

luded to, be cured by wise legislative regulations, aided by proper provisions for their due execution, under a vigorous and energetic police.

So dexterous and skilful have coiners now become, that by mixing a certain proportion of pure gold with a compound of base metal, they can fabricate guineas that shall be full weight, and of such perfect workmanship as to elude a discovery, except by persons of skill; while the intrinsic value does not exceed thirteen or fourteen shillings, and in some instances not above eight or nine.—Of this coinage considerable quantities were circulated some years since, bearing the impression of George the second: and another coinage of counterfeit guineas of the year 1793, bearing the impression of his present majesty, is now actually in circulation, finished in a masterly manner, and nearly full weight, although the intrinsic value is not above eight shillings; half guineas are also in circulation of the same coinage.—But as the fabrication of such coin requires a greater degree of skill and ingenuity than generally prevails, and also a greater capital than most coiners are able to command, it is to be hoped it has gone to no great extent *; for

* Pause here kind reader. The ingenious Mr. Bolton proposed to government to have *such a die* as could not be well counterfeited, struck by a steam engine,

amidst all the abuses which it is unquestionably true that neas which have been cou detection, have borne no p to the coinage of base *silver* *five* different kinds at present we shall proceed to enum

The first of these are denominated *plates*, *composed* *of blanched copper*.—*The proportion* *is one fourth to one third, and half*: *the metals are mixed* *and afterwards rolled by* *the* *fineness of shillings, half-crown* *and sixpence*. *At the* *desire of the parties who* *have* *been* *engaged* *in* *which last is generally stol* *the* *present one rolling-mill in* *the* *situation, where all the deal* *of base money resort, for* *the* *plates prepared*; *from whi*

the *engine for all coins current in this kingdom* *we wish him every success*. *Mr. Tilney* *engraving*, *and made his proposal to* *the* *notes*. *Both gentlemen will deserve a*

round pieces are cut out, of the size of the money meant to be counterfeited.

The artisans who stamp or coin these blanks into base money are seldom interested themselves.—They generally work as mechanics for the large dealers who employ a capital in the trade ;—and who furnish the plates, and pay about eight *per cent.* for the coinage, being at the rate of one penny for each shilling, and twopence half-penny for each half-crown.

This operation consists first in turning the blanks in a lathe ;—then stamping them, by means of a press, with dies with the exact impression of the coin intended to be imitated :—they are afterwards rubbed with sand-paper and cork ; then put into aquafortis to bring the silver to the surface ; then rubbed with common salt ; then with cream of tartar ; then warmed in a shovel, or similar machine, before the fire : and last of all rubbed with *blacking*, to give the money the appearance of having been in circulation.

All these operations are so quickly performed, that two persons (a man and his wife for instance) can completely finish to the nominal amount of fifty pounds in shillings and half-crowns in two days, by which they will earn each two guineas a day.

A shilling

A shilling of this species, which exhibits nearly the appearance of what has been usually called a Birmingham shilling, is intrinsically worth from *twopenny fourpence*; and crowns and half-crowns are in the same proportion.—The quantity made of this sort of counterfeit coinage is very considerable: it requires less ingenuity than any other methods of coining, though at the same time it is the most expensive mode, and of course the least profitable to the dealer; who for the most part disposes of it to the utterers, vulgarly called *smashers*, from 28 to 40 for a guinea, according to the quality; while these *smashers* generally manage to turn again at the full import value.

The second species of counterfeit money passes among dealers by the denomination of PLATED GOODS; from the circumstance of the shillings and half-crowns being made of copper of a reduced size, and afterwards plated with silver, so extended as to form a rim round the edge. This coin is afterwards stamped with dies so as to resemble the real coin; and, from the circumstance of the surface being pure silver, is not easily discovered, except by ringing the money on a table; but as this species of base money requires a knowledge of *plating*, as well as a great deal of ingenuity, it is of course confined to

ha

hands.—It is however extremely profitable to those who carry it on, as it can generally be uttered, without detection, at its full import value.

The third species of base silver-money is called PLAIN GOODS, and is totally confined to shillings.—These are made of copper blanks turned in a lathe, of the exact size of a Birmingham shilling, afterwards silvered over by a particular operation used in colouring metal buttons; they are then rubbed over with cream of tartar and blacking, after which they are fit for circulation.

These shillings do not cost the makers above one half-penny each: they are sold very low to the *smugglers* or *utterers*, who pass them where they can, at the full nominal value; and when the silver wears off, which is very soon the case, they are sold to the Jews as bad shillings, who generally resell them at a small profit to customers, by whom they are recoloured, and thus soon brought again into circulation.—The profit is immense, owing to the trifling value of the materials; but the circulation, on account of the danger of discovery, is not yet very extensive.—It is however to be remarked, that it is a species of coinage recently introduced.

The fourth class of counterfeit silver-money is known by the name of CASTINGS, or CAST GOODS.—This

species of work requires great skill and ingenuity, is therefore confined to few hands; for none but eminent artists can attempt it, with any prospect of success.

The process is to melt blanched copper, and to cast in moulds, having the impression, and being of the size of a crown, a half-crown, a shilling, or a sixpence, the case may be; after being removed from the moulds the money thus formed is cleaned off, and afterwards neatly silvered over by an operation similar to that which takes place in the manufacture of buttons.

The counterfeit money made in imitation of shillings by this process, is generally cast so as to have a *counterfeit appearance*; and the deception is so admirable, that though intrinsically not worth *one halfpenny*, by imitating the appearance of a *thick crooked shilling*, enter into circulation without suspicion, and are seldom refused while the surface exhibits no part of the copper, and even after this the itinerant Jews will purchase them at threepence each, though six times their intrinsic value, well knowing that they can again be recoloured at the expence of half a farthing, so as to pass without difficulty for their nominal value of twelve pence.

The profit therefore in every view, whether to

original maker, or to the subsequent purchasers, after having lost their colour, is *immense*.

In fabricating this species of base money, the workmen are always more secure than where presses and dies are used; because, upon the least alarm, and before any officer of justice can have any admission, the counterfeits are thrown into the crucible; the moulds are destroyed; and nothing is to be found that can convict, or even criminate, the offender: on this account the present makers of cast money have reigned long, and were they careful and frugal, they might have become extremely rich; but prudence rarely falls to the lot of men who live by acts of criminality.

The fifth and last species of base coin made in imitation of silver-money of the realm, is called FIGS, or **FIG THINGS**.—It is a very inferior sort of counterfeit money, of which composition however the chief part of the sixpences now in circulation are made.—The proportion of silver is not, generally speaking, of the value of one farthing in half a crown; although there are certainly some exceptions, as counterfeit sixpences have been lately discovered, some with a mixture, and some wholly silver: but even these did not yield the makers less than from 50 to 80 *per cent.* while the profit on the

former is not less than from five hundred to one thousand *per cent.* and sometimes more.

It is impossible to estimate the amount of this money which has entered into the circulation of the country during the last twenty years; but it must be immense, since one of the principal coiners in the *way*, who has lately left off business and made important discoveries, acknowledged to a magistrate of the police, that he had coined to the extent of *hundred thousand pounds* sterling in counterfeit *crowns*, and other base silver money, in a period of seven years.—This is the less surprising, as two per cent stamp and finish to the amount of from 200*l.* to 300*l.* a week.

Of the copper-money made in imitation of the coin of the realm, there are many different sorts &c various prices, according to the size and weight; in general they may be divided into two kinds, namely stamped and the plain half-pence, of both which immense quantities have been made in London; also at Birmingham, Wedgbury, Bilston, and Wockhampton, &c. *

* A species of counterfeit half-pence, made *wholly of lead*, has been circulated in considerable quantities, coloured in such a manner as even to deceive the best judges. They are generally of the reign of George II. in the exact appearance of old Mint half-pence.

The plain half-pence are generally made at Birmingham ; and, from their thickness, afford a wonderful deception.—They are sold, however, by the coiners to the large dealers at about a farthing each, or 100 *per cent.* profit in the tale or aggregate number.—These dealers are not the *utterers* ; but sell them again by retail in *pieces*, or *five-shilling papers*, at the rate of from 28*s.* to 31*s.* for a guinea ; not only to the smashers, but also to persons in different trades, as well in the metropolis as in the country towns, who pass them in the course of their business at the full import value.

Farthings are also made in considerable quantities, chiefly in London, but so very thin that the profit upon this species of coinage is much greater than on the half-pence, though these counterfeits are not now, as formerly, made of base adulterated metal.—The copper of which they are made is generally pure.—The advantage lies in the weight alone, where the *coiners*, *sellers*, and *utterers*, do not obtain less than 250 *per cent.*—A well known coiner has been said to finish from sixty to eighty pounds sterling a week.—Of half-pence, two or three persons can stamp and finish to the nominal amount of at least two hundred pounds in six days.

When it is considered that there are not less than be-

tween forty and fifty coinages, or private mints, almost constantly employed in London and in different country towns, in stamping and fabricating base silver and copper money, the evil may truly be said to have arrived at an enormous height.—It is indeed true that these people have been a good deal interrupted and embarrassed of late, by detections and convictions; but while the laws are so inapplicable to the new tricks and devices they have resorted to, these convictions are only *a drop in the bucket*; and indeed it is no unusual thing for the wife and family of a culprit, or convicted *seller of base money*, to carry on the business, and to support him luxuriously in Newgate, until the expiration of the *year and day's* imprisonment, which is generally the punishment inflicted for this species of offence.

It has been already stated, that trading in base money has now become as regular and systematic as any fair branch of trade.

Certain it is that immense quantities are regularly sent from London to the camps during the summer season; and to persons at the sea-ports and manufacturing towns, who again sell in retail to the different tradesmen and others, who pass them at the full *import* value.

In this nefarious traffic a number of the lower order of the Jews in London assist the dealers, in an eminent degree, particularly in the circulation of bad half-pence.

It has not been an unusual thing for several of these dealers to hold a kind of market, every morning, where from forty to fifty Jew boys are regularly supplied with counterfeit half-pence ; which they dispose of in the course of the day, in different streets and lanes of the metropolis, for *bad shillings*, at about 3d. each.—Care is always taken that the person who cries *bad shillings* shall have a companion near him who carries the half-pence, and takes charge of the purchased shillings (which are not cut) : so as to elude the detection of the officers of the police, in the event of being searched.

The bad shillings thus purchased, are received in payment, by the employers of the boys, for the bad half-pence supplied them, at the rate of four shillings a dozen; and are generally re-folded to *smashers*, at a profit of two shillings a dozen ; who speedily re-colour them, and introduce them again into circulation, at their full nominal value.

The boys will generally clear from five to feven shillings a day, by this fraudulent business ; which they almost

most uniformly spend, during debauchery; returning pen old trade.

Thus it is that the frauds beyond all possible conception, who, unwarily at least if not unscrupulously, offer counterfeit shillings to Jew boys, suspect that it is for the purpose of getting him again at the rate of twenty per cent. profit to the purchasers and

But these are not the only means of the coiners and dealers, as they, in order to get money, have recourse to, various purposes.

Counterfeit French half sovereigns, and other coins of excellent workmanship, have been made with a view to elude the punishment of the law.

Fraudulent die-sinkers have been employed in the metropolis and in Birmingham, to make dies of any coin, from the British guinea to the farthing; and they have therefore every opportunity for, while their accu-

ency of the laws, and where the point of danger lies, joined to the extreme difficulty of detection, operates as a great encouragement to this species of treason, felony, and fraud; and affords the most forcible reason why these pests of society have so increased and multiplied of late years.

An opinion prevails, founded on information obtained through the medium of the most intelligent of these coiners and dealers, that of the counterfeit money now in circulation, not above one third part is of the species of *flats* or *composition money*; which we have seen is the most intrinsically valuable of counterfeit silver, and contains from one fourth to one half silver; the remainder being blanched copper.—The other two thirds of the counterfeit money being *cast* or *washed*, and intrinsically worth little or nothing, the imposition upon the public is obvious.—Taking the whole upon an average, the amount of the injury must be considerably within ten *per cent.* of a total loss upon the mass of the base silver money now in circulation; which, if a conclusion may be drawn from what passes under the review of any person who has occasion to receive silver in exchange, must considerably exceed *one million sterling!* To this we have the miserable prospect of an accession every

year, until some effectual steps shall be taken to remedy the evil.

Of the copper coinage, the quantity of counterfeits now in circulation may be truly said to equal three fourth parts of the whole, independent of the daily accession; and nothing is more certain than that a very great proportion of the actual counterfeits pass as Mint half-pence, from their size and appearance, although they have yielded the coiners a large profit.

In short, nothing can be on a worse footing than both the silver* and copper coinage of this kingdom at the present period; for at no time can any person minutely examine either the one coin or the other, which may come into his possession, without finding a considerable proportion counterfeit.

What therefore must be the situation of the retail dealers, the brewers, distillers, and many other classes of industrious traders, who, in the course of their business, are compelled to receive such money as is in circulation?

The

• It is sincerely to be regretted that any objections should have arisen relative to the adoption of a silver and gold coinage, similar to the beautiful and masterly specimens which were fabricated in the year 1790, and tendered to government by that excellent artist, and useful and valuable man—Mr. BOLTON, of Birmingham.

Such

The burden is not only grievous beyond expression, to those who have no alternative but to take such base money in payment; but extends indirectly to the poor: in as much as the diminished value of such coin, arising from its reduced or base quality, taken in connexion with the quantities thrown into circulation, tends to enhance the price of the first articles of necessity.

The labourer, the handcraftsman, and the working manufacturer, being generally paid their weekly wages, partly in copper money of the present depreciated value; —it is obvious they must obtain less than they would otherwise receive, were the coin of a higher standard; for the retail dealers who furnish the poor with food, must shield themselves, at least in part, against the unavoidable losses arising from base money, by advancing the prices of their various commodities.

Nor are such advances made upon a principle which cannot be defended; since it is evident that the relative value *even of the Mint copper coin to gold or silver*, is nearly *twice its intrinsic value*; and while such copper money cannot be paid into the receipt of his Majesty's

Such a coinage, while the expence, at the time when copper was low, would have been very moderate, must have remedied completely all those evils which have proved such a weight upon the commerce of the country both before and since that period.

tion and punishment of offenders, but also to the means of prevention.

The vigour and energy requisite to the suppression of crimes of every kind, but particularly that of the coinage and circulation of base money, depend much on the zeal and activity of the magistrate: and on the afford an adequate pecuniary resource, to enable him to reward men who may undertake to risk their persons in the company of desperate and daring offenders, in order to obtain that species of evidence which will produce conviction.—Without such pecuniary resource, the law, as well the exertions of the magistrate, become dead letter: and his efforts, for the purpose of promoting the ends of public justice, are crippled and lost to the community.

In suppressing great evils, strong and adequate powers must be applied, and nothing can give force and activity to these powers, but the ability to reward liberally persons engaged in the public service, either as police officers, or as temporary agents for the purpose of detecting atrocious offenders. The following ideas are therefore suggested with a view to the important subject present under discussion.

The coinage laws (except those relating to copper money) which contain the most important regulations in the way of prevention, having been made a century ago, it is not to be wondered, in consequence of the regular progress of the evil, and the new tricks and devices resorted to, in that period, that many obvious amendments have become necessary. A consolidation of the whole laws from the 25th of Edward III. to the 14th of his present Majesty, would, perhaps, be the most desirable object; as it would afford a better opportunity of correcting every deficiency, and of rendering this branch of the criminal code *concise, clear, explicit*,—applicable to the existing evils, and to the means of prevention.

For the purpose, however, of more fully elucidating this proposition, it will be necessary to state the existing laws, and what are considered as the most apparent deficiencies therein.

We will begin by giving a short *summary* of the existing laws.

25. Edw. III. stat. 5, cap. 2. These acts make counterfeiting the gold and silver coin of r Mary, stat. 2, c. 6, the realm,—counterfeiting for & 2 Ph. & Mary, cap. 11. reign money, current within the realm,—knowingly bringing false money.

5 Eliz. cap. 11.

14 Eliz. cap. 3.

18 Eliz. cap. 1.

money into the realm counter to the money of England; bringing in *any* false and counterfeit money, current within realm; in order to utter the same here;—diminishing or lightening any current (gold or silver) coin.—*High Treason.*—Counterfeiting foreign money, not current in the kingdom.—*Misprision of Treason.*

7 Will. III. cap. 3.

—8 & 9 Will. III.

cap. 26. (made per-

petual by 7 Anne,

c. 25)—9 & 10

Will. III. c. 21.

These acts contain a digest of the principal offences and punishments, upon which prosecutions are founded at present.

7th of Queen Anne,

cap. 24.

Allows 400*l.* a year for prosecuting offenders; increased

15 Geo. II. c. 28. § 10, to 6

15th and 16th of

George II. cap. 28.

Amends some of the old laws, and establishes new regulations relative to the copper coinage.

31st George III. *cap.* 40. Makes further regulations respecting the copper coinage ; which, however, have not been at all effectual.

We next proceed to state the deficiencies of these laws.

1. Prosecutions are at present limited to commence within three months.—This may often defeat justice, as offences committed in the country frequently cannot be tried in less than four, five, and in some cases nearly six months.—THE LIMITATION TO 12 MONTHS WOULD REMOVE THE DIFFICULTY.
2. The words *milled money* seemed necessary, in the minds of the makers of the Act of 8 and 9 William III. *cap.* 26. to form the description of coin similar to the current coin of the realm ; and that act declares it to be felony to take, receive, pay, or put off *counterfeited milled money*.—A considerable portion of counterfeit coin is *cast* and not *milled*.—THE WORDS COUNTERFEIT MONEY, MILLED, OR NOT MILLED, WOULD REMOVE THE AMBIGUITY.
3. No provision is made in any act against, and consequently no punishment is inflicted on, the offence of

BUYING BASE MONEY TO RECOLOUR IT:—this is a modern device.

4. Neither does it appear that any provision is clearly made, or punishment inflicted, for the offence of uttering *base silver money in exchange*, as well as in payment: except under *stat. 8 and 9 Will. III. cap. 26*, where the expression of *counterfeit milled money* is used; the ambiguity of which has already been noticed. The words in the *stat. 15 Geo. II. c. 28.* are, "any person who shall utter or tender in payment," and it seems that the word *utter* cannot be detached from the subsequent words, "in payment."
5. No existing law gives any power to magistrates, upon information on oath, TO SEARCH FOR, OR SEIZE COUNTERFEIT COIN, IN THE CUSTODY OR POSSESSION OF KNOWN DEALERS OR REPUTED UTTERERS; although these dealers and utterers are now the persons (and not the actual coiners) who keep the base money: neither is there any power to seize base money conveying in coaches or waggons going into the country.—Under this shelter the dealers are enabled to hold markets for sale in their houses, where they frequently keep large stocks; and base money is also

also sent into the country without the least hazard of detection or seizure.

6. No power is directly given by any existing law, even upon the most pointed information, to search the houses or workshops of coiners **IN THE NIGHT TIME**.—Hence it is that *detection* becomes so difficult, and the evil increases, because the law in some measure shields the offenders from discovery.—Since in lottery offences (which are certainly greatly inferior in their enormity to coining) a power is granted to break open houses in the night time, surely no reason can be assigned why treasonable offences, in coining base money, should not in this respect be on the same footing.—Unless a positive power is given to search in the night, and suddenly to force open doors or windows, it will be impossible to detect the makers of cast-money.
7. The laws peculiarly relating to the *copper coinage*, although more modern, have also been found to be extremely defective, and totally inadequate to their object.

The act of the 11th of his present Majesty, cap. 40, indeed, makes it felony to sell copper money of the similitude of **THE CURRENT MONEY OF THE**

REALM at a less value than the denomination doth import; but the benefit of clergy not being taken away, and no specific punishment being mentioned, the offenders are generally subjected only to a year's imprisonment, which proves no check whatever, as their families carry on the business in the mean time; and if they sell PLAIN HALFPENCE, or what are called IRISH HARPS, or mix them with STAMPED HALFPENCE, similar to the current coin of the realm, so that the stamped coin does not exceed the value of what the denomination imports, it is doubtful whether the conviction will not fail.

8. The act above mentioned gives a power to magistrates to issue their warrants to search for tools and implements used in the COPPER COINAGE (with regard to silver or gold coinage no such power is given); but, what is very singular, NO PUNISHMENT WHATEVER CAN BE INFILCTED BY ANY EXISTING LAW on the owner or proprietor of such tools for making copper money, nor upon the person in whose house they are found; and if when such search is made, there shall be found only *plain* halfpence, or IRISH HARPS, OR HALFPENCE OR FARTHING VARYING IN THE STAMP in any degree from the current

current coin of the realm, so as not to be of the exact similitude, the act in question is defeated; inasmuch as the crime of felony does not attach to offences short of coining **COPPER MONEY OF THE SIMILITUDE OF THE CURRENT COIN OF THE REALM.**—The coinage of base copper therefore goes on with impunity; because it is the carelessness of the parties themselves if ever they permit the law to reach them.

9. The laws now in being give no power to seize counterfeit halfpence; either in the hands of the dealers who keep a kind of open market at their own houses every morning to supply jew boys who cry bad shillings, or in those of many others in various trades, who become the channels of circulation to a vast extent without risk or inconvenience.—Neither does the statute law authorise the apprehension of jew boys, who go out every morning loaded with counterfeit copper, which they exchange for bad shillings, to be afterwards coloured anew, and again put into circulation.
10. It must here be repeated, that the great cause of the defect in the execution of the laws against coiners, is the want of a proper fund for prosecutions and rewards, and other expences for detecting offenders.—The acts

7 Anne, cap. 24. and 15 George II. c. 28. allow £600. for prosecuting only; which has never since been increased by any parliamentary grant, for about half a century; although the offences, as well as the expence of detection and prosecutions, have increased at least six-fold.

The reward of £40. given under the Acts 6 & 7 Will. III. c. 17; 15 Geo. II. c. 28, is construed to be limited only to the conviction of actual coin and clippers of gold and silver; and is not allowed to extend to colouring and finishing, as well as a number of other offences connected with MAKING, COUNTERFEITING, and UTTERING base money:—the reward for copper coin is by the said act of 15 Geo. I c. 28, limited to £10. and is by no means a sufficient encouragement to officers to do their duty.—
 WOULD BE A GREAT IMPROVEMENT IF A LIBERAL SUM WERE ALLOWED ANNUALLY BY PARLIAMENT FOR DETECTIONS, PROSECUTIONS, AND REWARDS; TO BE PAID ON THE REPORT OF THE JUDGES WHO TRY THE OFFENDERS, ACCORDING TO THE MERIT AND TROUBLE OF THE APPREHENDERS, PROSECUTORS, AND WITNESSES; WHETHER THERE IS A CONVICTION OR NOT.

11. The laws, as they now stand, are silent regarding provincial copper coin, or what are called *tokens*, representing a halfpenny.—If a new coinage of copper money is not resolved on by government, it might perhaps be useful to legalize *tokens*, or *provincial coins* on three conditions.—1. THAT THE COPPER OF WHICH THEY ARE MADE SHALL BE PURE.—2. THAT THIS COIN SHALL BE AT LEAST 50 PER CENT. HEAVIER THAN THE PRESENT MINT COINAGE.—3. THAT THE PARTIES CIRCULATING SUCH COIN BE RESPONSIBLE TO THE HOLDERS, FOR THE VALUE IN GOLD OR SILVER, WHEN DEMANDED: AND SHALL STAMP THEIR NAMES AND AN OBLIGATION TO THAT PURPOSE ON THE COINS, TOKENS, OR MEDALS SO ISSUED BY THEM.—It may also be necessary that such persons, issuing tokens or medals, should take out a licence for that purpose from the principal officers of the mint, as an authority for such coinage; giving security at the same time to observe the above conditions.

12. The laws respecting foreign coin are extremely defective, and productive at present of many frauds upon the public.—The act of the 14th of Elizabeth, cap. 3, which declared it to be misprision of treason

to counterfeit foreign money, not current realm, has not been put in force for many years. Counterfeit French shillings and half crowns, as other foreign coins, are made of base metal mixed with counterfeit British coin, to the injury of the public.—And foreign coin is counterfeited for exportation, to the disgrace of the national character.

PROHIBITIONS AND RESTRAINTS, UNDER THE SOVEREIGNTY OF THE CROWN, HAVE BECOME ABSOLUTELY NECESSARY TO PREVENT THIS EVIL; WHICH, HAVING BEEN SO LONG PRACTICED, AND NOT AT PRESENT SEEM PUNISHABLE BY THE EXISTING LAW.

13. The punishment inflicted on the different offenders, specified in the coinage laws, do not seem to be in proportion to the degree of enormity, in some instances; while in others, from being too severe, the law is not always put in execution.—The dealers in base money (for instance) under the value of £100, is only punishable by a year's imprisonment; although, in point of fact, it is well known, that these dealers are the **EMPLOYERS OF THE COINERS**; that is to say, them this high offence originates, and but for the dealers, it would not have been committed; while the actual coiners, who work for these dealers in

the journ

journeymen, subject themselves to the punishment of death.

14. The mischievous agents of the dealers in base money, THE PERSONS WHO KEEP FLATTING MILLS, AND OTHER MACHINERY, FOR PREPARING, AND ROLLING THEIR METALS, FOR BEING COINED INTO BASE MONEY, are not at present within the reach of punishment by any existing law.—Although by preparing the metal for the subsequent process of stamping, they are in fact parties concerned, without whose aid the coinage could not be carried on.—The chief difficulty is in punishing persons for producing an article which may be turned into coach and harness ornaments, buttons, and many purposes as well as base money.—Perhaps a licence to such persons as flatten mixed metals, with security from them “ that “ they shall not work for coiners under a severe “ penalty,” might prove some check.—Or why, indeed, might not some provisions, similar to those of the act, 8 and 9 William III. c. 26, (against persons blanching copper for sale, or mixing blanched copper with silver, or buying, selling, or offering to sale blanched copper, alone, or mixed with silver,) be extended to the whole tribe of dangerous manu-

factures, whose trade and abilities are so liable to be perverted to bad uses?

Whatever might be the effect of these amendments in the mint laws, and necessary as they appear to be, it is still to be feared that until a new coinage of gold and silver money shall take place, * no legislative restrictions, regulations, or punishments, can produce an effectual cure to this enormous evil; although from the many deficiencies which have been detailed, it is evident a great deal of good may be done immediately in this way.

The coinage of new money is a great state question, which may require a fuller consideration; but no doubt can be entertained of the indispensable necessity of such a measure, with regard to silver and copper coin, as soon as circumstances will admit.

If to a new coinage of *shillings* and *sixpences*, should be added an extensive coinage of silver money of the value of *three-pence*, according to antient usage, it would prove a great convenience to the public, and remedy some of the abuses and evils which arise from the vast quantity of base copper now in circulation.

* Vide note *, page 408.

The

The nation might also, in a new point of view, derive considerable advantages from increasing the weight of the copper coin, so as to bring it as near as possible to the *intrinsic* value of the metal of which it is composed.

An arrangement of this sort would not only be the means of effectually preventing counterfeits; but the copper, being a native article produced in the country, might, through the medium of *coined money*, become a profitable branch of commerce with foreign nations; where even an extensive circulation might be insured, in consequence of the *intrinsic* and *denominative* value being the same, or nearly so.—

This is exemplified in the policy of Sweden, where the copper dollar being so heavy as to answer to six-pence sterling, has long been exported; and forms a considerable, and even a profitable branch of commerce to that nation.

In Russia the *three copee piece* is very nearly of the weight of six English halfpence, yet its current value is only a small fraction above one penny sterling;— and thus by issuing no copper coin where the *denominative* is not in proportion to the *intrinsic* value, every class of dealers who vend the necessaries of life are

shielded against loss; and
price of provisions for the
course prevented.

This principle seems to
legislature; for when the
under the consideration of
a period not very remote,
opinion then prevailed,
“*to secure the copper coin*
“*that the denominative value*
“*near a proportion as possible*
“*metal of which it was composed*

It is earnestly to be hoped
posed will be adopted;
coinage of silver as well as
the honest part of the currency
fraud, rapid beyond all example,
paralleled as to its extent.

Certain it is, that base
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community, who exist for
fraud, than any other description
enable them to live in the

debauchery, and to indulge in luxury and extravagance.

THE INCREASE IS CERTAINLY ASTONISHING, SINCE IT IS KNOWN, THAT IN LONDON AND THE COUNTRY THERE ARE 54 ACTUAL COINERS, AND 56 LARGE DEALERS, BESIDES, AT LEAST, 10 DIESINKERS, WHOSE NAMES, CHARACTERS, AND PURSUITS ARE AT PRESENT PERFECTLY KNOWN.— BUT THESE BEAR NO PROPORTION TO THE HORDE OF SMALLER DEALERS AND UTTERERS OF BASE MONEY IN THE METROPOLIS, AND IN MOST OF THE COMMERCIAL AND MANUFACTURING TOWNS IN THE KINGDOM. — THEIR NUMBERS MUST AMOUNT TO SEVERAL THOUSANDS.— FROM BEING AT PRESENT NUISANCES IN SOCIETY, IN THE CONSTANT HABIT OF DEFRAUDING THE PUBLIC, THEY MIGHT BE RENDERED (THROUGH THE APPLICATION OF THE REMEDIES PROPOSED) USEFUL MEMBERS OF THE STATE; BY EX-CHANGING A LIFE OF IDLENESS AND CRIMES, FOR A COURSE OF USEFUL LABOUR AND INDUSTRY*.

* COLQUHOUN.

SECT.

S E C

BE

Too long have the pu-
lity and religion, called a
evil, which, though hat-
us, always appears in all i
and whose dangerous e
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Too long already have
metropolis seen with con-
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shameless debaucheries;
(those pests of society) ha-
that, instead of being e
have triumphed over the
them, and acquiring fr
success, have spread the
wide.

What well affected citizen can be indifferent to the shame that devolves upon himself and upon his country, when whole swarms of dissolute rabble, covered with filthy rags, parade the streets, and by tales of real or of fictitious distress,—by clamorous importunity, insolence, and rudeness, extort involuntary contributions from every traveller?—When no retreat is to be found, no retirement where poverty, misery, and impudent hypocrisy, in all their disgusting and hideous forms, do not continually intrude; when no one is permitted to enjoy a peaceful moment, free from their importunity, either in the churches or in public places, at the tombs of the dead, or at the places of amusement?—What avail the marks of affluence and prosperity which appear in the dress and equipage of individuals, in the elegance of their dwellings, and in the magnificence and splendid ornaments of our churches, while the voice of woe is heard in every corner, proceeding from pretended cripples; from strong and healthy men capable of labour; from young infants and their shameless and abandoned parents?

The public honour calls aloud to have a stop put to this disgraceful evil.

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this numerous society are
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infamous practices, whic
and to such an alarming

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they receive from their
deceive; and daily practice
their very infancy, rende
in their infamous trade.-
justice show in innumera
of idleness and beggary a
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committed in this capita
not committed by persons
different pretences.

What person is ignoran
demand further proofs of

durable institution, for the relief and support of the poor?

The reader would be seized with horror, were we to unveil all the secret abominations of these abandoned wretches.—They laugh alike at the laws of God and of man.—No crime is too horrible and shocking for them, nothing in heaven or on the earth too holy not to be profaned by them without scruple, and employed with consummate hypocrisy to their wicked purposes.

Whence is it that this evil proceeds? not from the inability of this great capital to provide for its poor; for no city in the world, of equal extent and population, has so many hospitals for the sick and infirm, and other institutions of public charity.—Neither is it owing to the hard-heartedness of the inhabitants; for a more feeling and charitable people cannot be found.—Even the uncommonly great and increasing numbers of the beggars show the kindness and liberality of the inhabitants; for these vagabonds naturally collect together in the greatest numbers, where their trade can be carried on to the greatest advantage.

The injudicious dispensation of alms is the real and only source of this evil.

In every community there are certainly to be found a greater or less number of poor and distressed persons who have just claims on the public charity.—In the case every where; and nature dictates to us the duty of administering relief to suffering humanity, and especially to our poor and distressed fellow-citizens. Our holy religion promises eternal rewards to him who supports and relieves the poor and needy: but it is a sin to be lavish to the *real* poor.—The truly distressed is it not a sin to be bashful to mix with the herd of common beggars? necessity, it is true, will sometimes conquer the sense of shame, and compel them publicly to solicit charity. Their modest appeal is unheard or unnoticed, v. dissolute vagabond, who exhibits an hypocritical distress,—a drunken wretch, who pretends to have a numerous family and to be persecuted by misfortune, or an impudent unfeeling woman, who excites the tears and cries of a poor child whom she has perhaps for the purpose, and tortured into steps daringly forward to intercept the alms of the charitable; and the well-intentioned gift which relieve the indigent is the prize of impudence and a bad position, and the support of vice and idleness. Then is left for the modest object of real distress.

retire dispirited and hide himself in the obscurity of his hut, there to languish in misery, whilst the bolder beggar consumes, in public houses, the ill-bestowed gift in mirth and riot?—And, yet, the charitable donor flatters himself that he has performed an exemplary duty!

WE THEREFORE EARNESTLY ENTREAT EVERY ONE, AND ESPECIALLY THE INHABITANTS OF THIS CAPITAL, EACH IN HIS RESPECTIVE STATION, NO LONGER TO COUNTENANCE MENDICITY BY SUCH A MISAPPLICATION OF THEIR WELL-MEANT CHARITY; CONTRIBUTING THUS TO AUGMENT THE FATAL CONSEQUENCES OF THE EVIL ITSELF, AS WELL AS TO IMPEDE THE RELIEF OF THE REALLY NECESSITOUS.

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As nothing tends more
ness and immorality among
to perpetuate all the evil
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good.—The evil tendency
nately to beggars is univer-
not, I believe, so general
done by what are called the
duals.—Far be it from me
charities; I am only anxious
applied.

Without taking up time
motives by which persons

duced to give alms to the poor, or of shewing the consequences of their injudicious or careless donations; which would be an unprofitable as well as a disagreeable investigation; I shall briefly point out what appear to me to be the most effectual means which individuals in affluent circumstances can employ for the assistance of the poor in their neighbourhood.

An object of the very first importance in forming an establishment for the relief and support of the poor, is to take effectual measures for introducing a spirit of industry among them; for it is most certain, that *all sums of money, or other assistance, given to the poor in alms, which do not tend to make them industrious, never can fail to have a contrary tendency, and to operate as an encouragement to idleness and immorality.*

And as the merit of an action is to be determined by the good it produces, the charity of a nation ought not to be estimated by the millions which are paid in poor's taxes, but by the pains which are taken to see that the sums raised are properly applied.

As the providing useful employment for the poor, and rendering them industrious, is, and ever has been, a great *desideratum* in political economy, it may be

proper

proper to enlarge a little subject.

The great mistake comes which have been made to where habits of idleness have frequent and improper which the persons to be reoffended and thoroughly Force will not do it.—Ad on those occasions.

The children in the who, being placed upon where other children were spectators of that amusement when their request to be in other places, and mix in that kind they would, most probably they been taken abruptly work.

“ Men are but children those who undertake to do in mind that important thing. That impatience of course perseverance in maintaining

berty and independence, which so strongly mark the human character in all the stages of life, must be managed with great caution and address, by those who are desirous of doing good;—or, indeed, of doing any thing effectually with mankind.

It has often been said, that the poor are vicious and profligate, and that *therefore* nothing but force will answer to make them obedient, and keep them in order;—but, I should say, that *because* the poor are vicious and profligate, it is so much the more necessary to avoid the appearance of force in the management of them, to prevent their becoming rebellious and incorrigible.

Those who are employed to take up and tame the wild horses belonging to the Elector Palatine, which are bred in the forest near DUSSELDORF, never use force in reclaiming that noble animal, and making him docile and obedient.—They begin with making a great circuit, in order to approach him; and rather decoy than force him into the situation in which they wish to bring him, and ever afterwards treat him with the greatest kindness; it having been found by experience, that ill-usage seldom fails to make him “a man-hater,” untameable, and incorrigibly vicious.—It may, perhaps,

be thought fanciful and trifling, but the fact really is, that an attention to the means used by these people to gain the confidence of those animals, and teach them to like their keepers, their stables, and their mangers, suggested to me many ideas which I afterwards, says Count Rumford, put into execution with great success, in reclaiming those abandoned and more ferocious animals in human shape, which I undertook to tame and render gentle and docile.

It is however necessary in every attempt to introduce a spirit of order and industry among the idle and profligate, not merely to avoid all harsh and offensive treatment, which, as has already been observed, could only serve to irritate them, and render them still more vicious and obstinate, but it is also indispensably necessary to do every thing that can be devised to encourage and reward every symptom of reformation.

It will likewise be necessary sometimes to punish the obstinate; but recourse should never be had to punishments till *good usage* has been first fairly tried and found to be ineffectual.—The delinquent must be made to see that he has deserved the punishment, and when it is inflicted, care should be taken to make him feel it. ~~it~~
But in order that the punishment may have the effects intended,

intended, and not serve to irritate the person punished, and excite personal hatred and revenge, instead of disposing the mind to serious reflection, it must be administered in the most solemn and most *dispassionate* manner; and it must be continued no longer than till the *first dawn* of reformation appears.

How much prudence and caution are necessary in dispensing rewards and punishments; and yet—how little attention is in general paid to those important transactions!

Rewards and punishments are the only means by which mankind can be controlled and directed; and yet, how often do we see them dispensed in the most careless—most imprudent—and most improper manner!—how often are they confounded!—how often misapplied!—and how often do we see them made the instruments of gratifying the most sordid private passions!

To the improper use of them may be attributed all the disorders of civil society.—To the improper or careless use of them may, most unquestionably, be attributed the prevalence of poverty, misery, and mendicity in most countries, and particularly in *Great-Britain*, where the healthfulness and mildness of the climate—the fertility of the soil—the abundance of fuel—the

numerous and flourishing manufactures—the extensive commerce—and the millions of acres of waste lands which still remain to be cultivated, furnish the means of giving useful employment to all its inhabitants, and even to a much more numerous population.

But if instead of encouraging the laudable exertions of useful industry, and assisting and relieving the unfortunate and the infirm—(the only real objects of charity,)—the means designed for those purposes are so misapplied as to operate as rewards to idleness and immorality, the greater the sums are which are levied on the rich for the relief of the poor, the more numerous will that class become, and the greater will be their profligacy, their insolence, and their shameless and clamorous importunity.

There is, it cannot be denied, in man, a natural propensity to sloth and indolence; and though habits of industry,—like all habits,—may render those exertions easy and pleasant which at first are painful and irksome, yet no person, in any situation, ever chose labour merely for its own sake. It is always the apprehension of some greater evil,—or the hope of some enjoyment, by which mankind are compelled or allure, when they take to industrious pursuits.

In the rude state of savage nature the wants of men are few, and these may all be easily supplied without the commission of any crime; consequently industry, under such circumstances, is not necessary, nor can indolence be justly considered as a vice; but in a state of civil society, where population is great, and the means of subsistence not to be had without labour, or without defrauding others of the fruits of their industry, idleness becomes a crime of the most fatal tendency, and consequently of the most heinous nature; and every means should be used to discountenance, punish, and prevent it.

And we see that PROVIDENCE, ever attentive to provide remedies for the disorders which the progress of society occasions in the world, has provided for idleness—as soon as the condition of society renders it a vice, but not before—a punishment every way suited to its nature, and calculated to prevent its prevalency and pernicious consequences:—This is *want* *,—and a most efficacious remedy it is for the evil,—when the *wisdom of man* does not interfere to counteract it, and prevent its salutary effects.

* He who will not work deserves to *starve*, says St. Paul.

But reserving the farther investigation of this part of my subject—that respecting the means to be used for encouraging industry—to some future opportunity, I shall now endeavour to show, in a few words, how, under the most unfavourable circumstances, an arrangement for putting an end to mendicity, and introducing a spirit of industry among the poor, might be introduced and carried into execution.

If I am obliged to take a great circuit, in order to arrive at my object, it must be remembered, that where a vast weight is to be raised by human means, a variety of machinery must necessarily be provided; and that it is only by bringing all the different powers employed to act together to the same end, that the purpose in view can be attained. It will likewise be remembered, that as no mechanical power can be made to act without a force be applied to it sufficient to overcome the resistance, not only of the *vis inertia*, but also of friction, so no moral agent can be brought to act to any given end without sufficient motives; that is to say, without such motives as *the person who is to act* may deem sufficient, not only to decide his opinion, but also to overcome his indolence.

The

The object proposed,—the relief of the poor, and the providing for their future comfort and happiness, by introducing among them a spirit of order and industry, is such as cannot fail to meet with the approbation of every well-disposed person.—But I will suppose, that a bare conviction of the *utility* of the measure is not sufficient alone to overcome the indolence of the public, and induce them to engage *actively* in the undertaking; —yet as people are at all times, and in all situations, ready enough to do what they *feel* to be their interest, if, in bringing forward a scheme of public utility, the proper means be used to render it so interesting as to awaken the *curiosity*, and fix the attention, of the public, no doubts can be entertained of the possibility of carrying it into effect.

In arranging such a plan, and laying it before the public, no small degree of knowledge of mankind, and particularly of the various means of acting on them, which are peculiarly adapted to the different stages of civilization, or rather of the political refinement and corruption of society, would, in most cases, be indispensably necessary; but with that knowledge, and a good share of zeal, address, prudence, and perseverance, there are few schemes, in which an honest man would wish to

to be concerned, that might not be carried into execution in any country.

In such a city as *London*, where there is great wealth;—public spirit;—enterprise;—and zeal for improvement; little more, I flatter myself, would be necessary to engage all ranks to unite in carrying into effect such a scheme, than to show its public utility; and, above all, to prove that there is *no job at the bottom of it*.

It would, however, be advisable, in submitting to the Public, Proposals for forming such an Establishment, to show that those who are invited to assist in carrying it into execution, would not only derive from it much pleasure and satisfaction, but also many real advantages; for too much pains can never be taken to interest the public individually, and directly, in the success of measures tending to promote the general good of society.

In the forty-third year of the reign of Queen ELIZABETH, an act was passed, requiring the churchwardens and overseers of every parish, under the direction of the magistrates, to provide materials and implements, for the purpose of setting the poor to work; and to compel such persons to work, as should not be thought able to maintain themselves and families. She limited the number

numbers of the poor, and prevented their increase, by not suffering cottages to be erected, unless they were endowed each with four acres of land ; and at the same time forbidding inmates. The superior wisdom of these laws will appear from hence, that for ninety years there were no complaints to occasion any alteration in them. This act may be considered as the ground-work of all the subsequent plans for the relief and employment of the poor, very little having been done for that purpose before this time. If it has not been *generally* attended with the good effects which might have been expected from it ; the want of success is not so much to be attributed to the deficiencies of the act itself, as to a total relaxation of discipline, and to other causes, which it would be invidious to mention.

Mr. LOCKE, in a memorial drawn up by him and delivered by the Board of Trade, of which he was a member, to the lords justices of the kingdom, inculcates this wise plan of conduct ; *That Working Schools should be set up in every parish, to which the children of all such as demand relief of the parish above three, and under fourteen years of age, should be obliged to come.* To this excellent plan was added a power to admit into the same room *grown persons out of employ,* and

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“ III. It produces a
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* Wherever any attempt has been
failed of producing some good effect
manufactures, wherein the poor are
yet if the poor are kept from idleness
industrious way of living, the good
to the public, will fully compensi

and uninfluenced by that emulation, which naturally arises among numbers engaged together in the same employment.

“ IV. It greatly improves the *quality* of the work, by subjecting it to the constant inspection of the master or mistress.

“ V. It occasions a very considerable saving of the fuel and light, which must be wanted for enabling the spinners, &c. to obtain in winter, any such wages as shall afford them a comfortable maintenance.

“ VI. It obviates every complaint that can arise from want of employment, by opening an asylum, where the unemployed may always exercise some trade.

“ We will therefore presume to hope that the plan of the *Society of Industry*, if seriously adopted and steadily persevered in as it is kindly and earnestly recommended, will probably change the face of things in this country, that every interest both of this world and the next will be advanced by it, that every parish will be paid ten-fold what may be laid out in so good a work, by a reduction of its rates; but however this be, that every inhabitant who can feel and think, were he to be put to the *expence* of twice as much as in fact he may *gain* by

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Hence of the good effects which have attended this system in the counties of *Lincoln* and *Rutland*, we are justified in expecting that it *will lessen the public burden occasioned by the maintenance of the poor*.—In proof of the reasonableness of this assertion, we mention the following important fact.—“ Upon taking a general view of the tables published by the society of industry in *Lincolnshire*, it appears that 135 children between eleven and twelve years of age, in *ten months*, taken in the depth of five successive winters, earned the sum of 680*l. 3s. 3d.* or **HALF A CROWN A WEEK EACH**; exclusive of all their work during the other ten months of each of those years.”

To what has been already advanced, we will only add the following observation of Mr. **LOCKE**, in the report of the board of trade above alluded to.—“ Every one must have meat, drink, cloathing, and firing; so much goes out of the stock of the kingdom, whether they work or no.—Supposing, then, there be *a hundred thousand* poor in *England* that live upon the parish; that is, who are maintained by other people’s labour, (for so is every one who lives upon alms without working;) if care were taken that every one of those, by some labour in the woollen or other manufacture, should earn but a

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employment.—In conformity with these principles, they ordered, that no one should have any relief till he had done such work as he was capable of; that materials and convenient places should be provided for fitting the poor to work; and that all children should be taught to knit before they were six years old, and to spin before they were nine.—In aid of these judicious orders, schools were opened, and premiums were given from the poor rates.

THOMAS FIRMIN, a friend of Archbishop TILLOTSON, had long since delivered the same opinions, which we here find adopted by these respectable gentlemen in *Lincolnshire*.—This truly benevolent and useful citizen gave out raw materials to the industrious poor; and he well remarked, that one shilling earnt by labour went further than two by way of gift.

FROM THESE PRINCIPLES WE MUST NOT ONLY CONDEMN THE WHOLE SYSTEM OF OUR PRESENT POOR'S LAW, BUT EVERY SYSTEM WHICH STANDS IN NEED OF WORKHOUSES.—WE MUST COMMEND SCHOOLS OF INDUSTRY, PAROCHIAL WORKSHOPS, AND MAGAZINES OF RAW MATERIALS; AND WE MUST GIVE ENCOURAGEMENT, UNDER PROPER REGULATIONS, TO FRIENDLY SOCIETIES AMONG THE

LABOURING POOR.—BUT, ABOVE ALL, WE MUST STRENUOUSLY CONTEND, THAT WHATEVER AID IS GIVEN BY THE PUBLIC, SHOULD BE DISPENSED IN SUCH A WAY AS TO CALL FORTH THE MOST STRENUOUS EFFORTS OF THE PARTY WHO IS TO BE RELIEVED, WITH GRATITUDE TO HIS BENEFACTORS, AND DUE SUBORDINATION TO HIS EMPLOYERS.

SECT.

SECT. XXXII.

SIR BENJAMIN THOMSON'S * ACCOUNT OF THE
ESTABLISHMENT AT MUNICH.

BUT in order to clear the country of beggars (the number of whom in Bavaria had become quite intolerable) it was necessary to adopt general and efficacious measures for maintaining and supporting the poor. Laws were not wanting to oblige each community in the country to provide for its own poor; but these laws had been so long neglected, and beggary had become so general, that extraordinary measures, and the most indefatigable exertions, were necessary to put a stop to this evil.—The number of itinerant beggars, of both sexes, and all ages, as well foreigners as natives, who strolled about the country in all directions, levying contributions from the industrious inhabitants, stealing and robbing, and leading a life of indolence, and

* This patriot philosopher has been created Count de Rumsford by the reigning Duke of Bavaria.

contributions for the support of idleness and d
ebery!

That total insensibility to shame, and all those qualifications which are necessary in the profession of a beggar, are likewise essential to form an accomplished thief; and both these professions derive very considerable advantages from their union. A beggar who goes about from house to house to ask for alms, has opportunities to steal, which another would easily find; and his profession as a beggar gives great facility in disposing of what he steals; for we always say it was given him in charity. Now then that thieving and robbing should be prevalent where beggars are numerous.

That this was the case in Bavaria will not be denied by those who are informed that in the four years immediately succeeding the introduction of the measures adopted for putting an end to mendicity, and expelling the country of beggars, thieves, robbers, &c. about *thousand* of these vagabonds, foreigners and natives were actually arrested and delivered over to the civil authorities; and that in taking up the beggars in Munich and providing for those who stood in need of assistance, no less than £600 were entered upon

lists; though the whole number of the inhabitants of the city of Munich probably does not amount to more than 60,000, even including the suburbs.

But before I proceed to give a more particular account of the funds of this institution, and of the application of them, it will be necessary to mention the preparations which were made for furnishing employment to the poor, and the means which were used for reclaiming them from their vicious habits, and rendering them industrious and useful subjects. And this was certainly the most difficult, as well as the most curious and interesting part of the undertaking. To trust raw materials in the hands of common beggars, certainly required great caution and management;—but to produce so total and radical a change in the morals, manners, and customs of this debauched and abandoned race, as was necessary to render them orderly and useful members of society, will naturally be considered as an arduous, if not impossible, enterprise. In this I succeeded;—for the proof of this fact I appeal to the flourishing state of the different manufactories in which these poor people are now employed,—to their orderly and peaceable demeanour,—to their cheerfulness,—to their industry,—to the desire to excel, which manifests itself

among them upon all occasions, and to the very air of their countenances. Strangers, who go to see this institution, (and there are very few who pass through Munich, who do not take that trouble,) cannot sufficiently express their surprise at the air of happiness and contentment which reigns through every part of the extensive establishment, and can hardly be persuaded that among those they see so cheerfully engaged in that interesting scene of industry, by far the greatest part were, five years ago, the most miserable and worthless of beings,—common beggars in the streets.

An account of the means employed in bringing about this change, cannot fail to be interesting to every benevolent mind; and this is what has encouraged me to lay these details before the public.

By far the greater number of the poor people to be taken care of were not only common beggars, but had been bred up from their very infancy in that profession, and were so attached to their indolent and dissolute mode of living, as to prefer it to all other situations! They were not only unacquainted with all kinds of work, but had the most insuperable aversion to honest labour; as had been so long familiarized with every crime, that

they had become perfectly callous to all sense of shame and remorse.

With persons of this description, it is easy to be conceived that precepts;—admonitions;—and punishments, would be of little or no avail. But where precepts fail, habit may sometimes be successful.

To make vicious and abandoned people happy, it has generally been supposed necessary, *first*, to make them virtuous. But why not reverse this order? Why not make them first *happy*, and then virtuous? If happiness and virtue be *inseparable*, the end will be as certainly obtained by the one method as by the other; and it is most undoubtedly much easier to contribute to the happiness and comfort of persons in a state of poverty and misery, than, by admonitions and punishments, to reform their morals.

Deeply struck with the importance of this truth, all my measures were taken accordingly. Every thing was done that could be devised to make the poor people I had to deal with comfortable and happy in their new situation; and my hopes, that a habit of enjoying the real comforts and conveniences which were provided for them, would in time, soften their hearts;—open their eyes;—and render them grateful and docile, were not disappointed.

The

The pleasure I have had in the success of this experiment is much easier to be conceived than described. Would to God that my success might encourage others to follow my example. If it were generally known how little trouble, and how little expence, are required to do much good, the heart-felt satisfaction which arises from relieving the wants, and promoting the happiness of our fellow-creatures, is so great, that I am perswaded, acts of the most essential charity would be much more frequent, and the mass of misery among mankind would consequently be much lessened.

Most of them had been used to live in the most miserable bovels, in the midst of vermin, and every kind of filthiness; or to sleep in the streets, and under the hedges, half naked, and exposed to all the inclemencies of the seasons. A large and commodious building, fitted up in the neatest and most comfortable manner, was now provided for their reception. In this agreeable retreat they found spacious and noble apartments, kept with the most scrupulous neatness, well warmed in winter, and well lighted; a good warm dinner every day, gratis, cooked and served up with all possible attention to order and cleanliness;—materials and utensils for those who were able to work;—masters,

gratis,

gratis, for those who required instruction ;—the most generous pay, *in money*, for all the labour performed ; and the kindest usage from every person, from the highest to the lowest, belonging to the establishment. Here, in this asylum for the indigent and unfortunate, no ill usage ;—no harsh language, is permitted. During five years that the establishment has existed, not a blow has been given to any one; not even to a child by his instructor.

As the rules and regulations for the preservation of order are few, and easy to be observed, the instances of their being transgressed are rare ; and as all the labour performed, is paid by the piece, and not by the day ; and is well paid ; and as those who gain the most by their work in the course of the week, receive proportional rewards on the Saturday evening ; these are most effectual encouragements to industry.

It is easy to conceive that so great a number of unfortunate beings, of all ages and sexes, taken as it were out of their very element, and placed in a situation so perfectly new to them, could not fail to be productive of very interesting situations. Would to God I were able to do justice to this subject ! but no language can describe the affecting scenes to which I was a witness upon this occasion.

The

The exquisite delight which a sensible mind must feel, upon seeing many hundreds of wretched beings awaking from a state of misery and inactivity, as from a dream ; and applying themselves with cheerfulness to the employments of useful industry ;—upon seeing the first dawn of placid content break upon a countenance covered with habitual gloom, and furrowed and distorted by misery ;—this is easier to be conceived than described.

During the first three or four days that these poor people were assembled, it was not possible entirely to prevent confusion : there was nothing like mutinous resistance among them ; but their situation was so new to them, and they were so very awkward in it, that it was difficult to bring them into any tolerable order. At length, however, by distributing them in the different halls, and assigning to each his particular place, (the places being all distinguished by numbers,) they were brought into such order as to enable the inspectors, and instructors, to begin their operations.

Those who understood any kind of work, were placed in the apartments where the work they understood was carried on ; and the others, being classed according to their sexes, and as much as possible according to their ages,

ages, were placed under the immediate care of the different instructors.—By much the larger number were put to spinning of hemp;—others, and particularly the young children from four to seven years of age, were taught to knit, and to sew; and the most awkward among the men, and particularly the old, the lame, and the infirm, were put to carding of wool.—Old women, whose sight was too weak to spin, or whose hands trembled with palsy, were made to spool yarn for the weavers; and young children, who were too weak to labour, were placed upon seats erected for that purpose round the rooms where other children worked.

The awkwardness of these poor creatures, when they were first taken from the streets as beggars, and put to work, may easily be conceived; but the facility with which they acquired address in the various manufactures in which they were employed, was very remarkable, and much exceeded my expectation. But what was quite surprising, and at the same time interesting in the highest degree, was the apparent and rapid change which was produced in their manners,—in their general behaviour,—and even in the very air of their countenances, upon being a little accustomed to their new situations.—The kind usage they met with, and the comforts

they enjoyed, seemed to have softened their hearts, and awakened in them sentiments as new and surprising to themselves, as they were interesting to those about them.

The melancholy gloom of misery, and air of uneasiness and embarrassment, disappeared by little and little from their countenances, and were succeeded by a timid dawn of cheerfulness, rendered most exquisitely interesting by a certain mixture of silent gratitude, which no language can describe.

In the infancy of this establishment, when these poor creatures were first brought together, I used very frequently to visit them,—to speak kindly to them,—and to encourage them;—and I seldom passed through the halls where they were at work, without being a witness to the most moving scenes.

Objects, formerly the most miserable and wretched, whom I had seen for years as beggars in the streets;—young women,—perhaps the unhappy victims of seduction, who, having lost their reputation, and being turned adrift in the world, without a friend and without a home, were reduced to the necessity of begging, to sustain a miserable existence, now recognized me as their benefactor; and, with tears dropping fast from their

cheeks, continued their work in the most expressive silence.

If they were asked, what the matter was with them? their answer was, ("nichts") "nothing;" accompanied by a look of affectionate regard and gratitude, so exquisitely touching as frequently to draw tears from the most insensible of the bystanders.

It was not possible to be mistaken with respect to the real state of the minds of these poor people; every thing about them showed that they were deeply affected with the kindness shewn them;—and that their hearts were really softened, appeared, not only from their unaffected expressions of gratitude, but also from the effusions of their affectionate regard for those who were dear to them.—In short, never did I witness such affecting scenes as passed between some of these poor people and their children.

It was mentioned above that the children were separated from the grown persons.—This was the case at first; but as soon as order was thoroughly established in every part of the house, and the poor people had acquired a certain degree of address in their work, and evidently took pleasure in it, as many of those who had children expressed an earnest desire to have them near

then, permission was granted for that purpose ; and the spinning halls, by degrees, were filled with the most interesting little groups of industrious families, who vied with each other in diligence and address ; and who displayed a scene, at once the most busy, and the most cheerful, that can be imagined.

An industrious family is ever a pleasing object ; there was something peculiarly interesting and affecting in the groups of those poor people.—Whether it was that those who saw them compared their present situation with the state of misery and wretchedness from which they had been taken ;—or whether it was the joy and exultation which were expressed in the countenances of the poor parents in contemplating their children all busily employed about them ;—or the air of self-satisfaction which these little urchins put on, at consciousness of their own dexterity, while they pursued their work with redoubled diligence upon being observed ; that rendered the scene so singularly interesting, know not ; but certain it is, that few strangers who visited the establishment, came out of these halls without being much affected.

Many humane and well-disposed persons are often withheld from giving alms, on account of the bad character of

matter of beggars in general; but this circumstance, though it ought undoubtedly to be taken into consideration in determining the mode of administering our charitable assistance, should certainly not prevent our interesting ourselves in the fate of these unhappy beings. On the contrary, it ought to be an additional incitement to us to relieve them;—for nothing is more certain, than that their crimes are very often the *effects*, not the *causes*, of their misery; and when this is the case, by removing the cause, the effects will cease.

Nothing is more extraordinary and unaccountable, than the inconsistency of mankind in every thing; even in the practice of that divine virtue benevolence; and most of our mistakes arise more from indolence and from inattention, than from any thing else. The busy part of mankind are too intent upon their own private pursuits; and those who have leisure, are too averse to giving themselves the least trouble, to investigate a subject but too generally considered as tiresome and uninteresting. But if it be true, that we are really happy only in proportion as we ought to be so;—that is, in proportion as we are instrumental in promoting the happiness of others; no study surely can be so interesting, as that which

which teaches us how most effectually to contribute to the well being of our fellow creatures.

If *love* be blind, *self-love* is certainly very short sighted; and without the assistance of reason and reflection, is but a bad guide in the pursuit of happiness.

Those who take pleasure in depreciating all the social virtues have represented pity as a mere selfish passion; and there are some circumstances which appear to justify this opinion.—It is certain that the misfortunes of others affect us, not in proportion to their greatness, but in proportion to their nearness to ourselves; or to the chances that they may reach us in our turns. A rich man is infinitely more affected at the misfortune of his neighbour, who, by the failure of a banker with whom he had trusted the greater part of his fortune,—by an unlucky run at play,—or by other losses, is reduced from a state of affluence, to the necessity of laying down his carriage;—leaving the town;—and retiring into the country upon a few hundreds a-year;—than by the total ruin of the industrious tradesman over the way, who is dragged to prison, and his numerous family of young and helpless children left to starve.

But however selfish pity may be, *benevolence* certainly springs from a more noble origin. It is a good-natured, —generous

—generous sentiment, which does not require being put to the torture in order to be stimulated to action.—And it is this sentiment, not pity, or compassion, which I would wish to excite.

Pity is always attended with pain ; and if our sufferings at being witnesses of the distresses of others, sometimes force us to relieve them, we can neither have much merit, nor any lasting satisfaction, from such involuntary acts of charity ; but the enjoyments which result from acts of genuine benevolence are as lasting as they are exquisitely delightful ; and the more they are analyzed and contemplated, the more they contribute to that inward peace of mind and self-approbation, which alone constitute real happiness.—This is the “soul’s calm sun-shine, and the heart-felt joy,” which is virtue’s prize.

To induce mankind to engage in any enterprise, it is necessary, first, to show that success will be attended with real advantage ; and secondly, that it may be obtained without much difficulty.—The rewards attendant upon acts of benevolence have so often been described and celebrated, in every country and in every language, that it would be presumption in me to suppose I could add any thing new upon a subject already discussed by

the

the greatest masters of rhetoric, and embellished with all the irresistible charms of eloquence; but as *examples of success* are sometimes more efficacious in stimulating mankind to action, than the most splendid reasonings and admonitions, it is upon *my success* in the enterprise of which I have undertaken to give an account, that my hopes of engaging others to follow such an example are chiefly founded; and hence it is, that I so often return to that part of my subject, and insist with so much perseverance upon the pleasure which this success afforded me. I am aware that I expose myself to being suspected of ostentation, particularly by those who are not able to enter fully into my situation and feelings; but either this, nor any other consideration, shall prevent me from treating the subject in such a manner as may appear best adapted to render my labours of public utility.

Why should I not mention even the marks of affectionate regard and respect which I received from the poor people for whose happiness I interested myself, and the testimonies of the public esteem with which I was honoured?—Wilt it be reckoned vanity, if I mention the concern which the poor of Munich expressed in so affecting a manner when I was dangerously ill?—that

they

they went publicly in a body in procession to the cathedral church, where they had divine service performed, and put up public prayers for my recovery?—that four years afterwards, on hearing that I was again dangerously ill at Naples, they, of their own accord, set apart an hour each evening, after they had finished their work in the Military Workhouse, to pray for me?

Will it be thought improper to mention the affecting reception I met with from them, at my first visit to the Military Workhouse upon my return to Munich last summer, after an absence of fifteen months; a scene which drew tears from all who were present?—and must I refuse myself the satisfaction of describing the fête I gave them in return, in the English Garden, at which 1800 poor people of all ages, and above 30,000 of the inhabitants of Munich assisted? and all this pleasure I must forego, merely that I may not be thought vain and ostentatious?—Be it so then;—but I would just beg leave to call the reader's attention to my feelings upon the occasion; and then let him ask himself, if any earthly reward can possibly be supposed greater;—any enjoyments more complete, than those I received. Let him figure to himself, if he can, my situation, sick in bed, worn out by intense application, and

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S E C T. XXXIII.

ON QUACK MEDICINES.

Quid non mortalia pectora cogis, auri sacra fama!

EVERY physician, even of the most moderate practice, must have been often witness of the destruction occasioned by those pests of society, who have obtained patents for pretended discoveries, and use every art to delude the sick and helpless man; protected, I should be sorry to say, encouraged, by government, and enabled to make as pompous a display of his MAJESTY'S ARMS, as if they had either been generals or admirals, and had achieved some great exploit.

What reason, says the Rev. Mr. TOWNSEND, in his excellent classification of disease, can we assign then for the astonishing, and still increasing, demand for *quack medicines* and *quack books*?—Whence is it, that *quack medicines* and *quack books* are to be found, not merely among the lower classes of society, but in respectable families, and almost in every house?—Is it, that they

have a higher opinion of such medicines and of such books, than of the judgment, the skill, the extensive experience, of men devoted to the science; of men, who have been regularly taught, and who are in the daily habit of distinguishing diseases?—No, certainly it is not.—But I leave this important question, says he, to be answered by writers on *political economy*, and in the mean time anxiously caution the unwary of being misled by those who have obtained LETTERS PATENT.

In vain are colleges endowed, and called *royal* foundations, if this growing evil is not checked.

BACON has too well observed, that the length of diseases, the sweets of life, the illusive flattery of hope, and the recommendations of the patient's officious friends, are sufficient reasons for the vilest and most ignorant quacks being often preferred to the best physicians.—An ignorant fellow always gives more hopes than a man of learning.

FRIEND, who at a very early time of life acquired the reputation of a great physician and a fine writer, adopted the same reasoning and met with the most unjust fate.—The reader will see what is said on this subject, by this physician (who was so despised by *empirics* and the *vulgar*, and so much cherished by all respectable

specable people) in his letter to his friend MEAD.—
 “ The esteem,” says he, “ in which ignorance is held,
 “ is the reason why men of true genius, who might
 “ have distinguished themselves in physic, have sought
 “ for reputation, by attaching themselves to other
 “ sciences; and in these they have often excelled those
 “ who seemed to be particularly destined by nature to
 “ this cultivation.—In good truth, they who look up
 “ only at glory and reputation, have surely good reason
 “ for abandoning an art, in which the prejudices of the
 “ vulgar give as much to mediocrity as to the rarest
 “ and most accomplished merit, and the practice of
 “ which is distinguished by the public, only in propor-
 “ tion to the *boastings* of the practitioner.”

The quack has a considerable advantage over the regular practitioners.—If any one of his promises become realized, he is applauded to the skies; and if the patient finds himself deceived, he is obliged in honour to be silent, that he may not expose himself to blame, for having confided himself to a *wretch*, who gains much by deceit, as the number of simple people is always the greatest.—Besides, this daring man risks no loss of reputation; because, as it exists only amongst ignorant people, the blame will always incline towards those who have

have listened to him.—Men are so fond of the marvellous, that the *quack* has, above all others, the power of making the vulgar relish novelty.—The more absurd his promises are, the more he is attended to.—He applies a popular name to a medicine he has just gathered at the entrance of the village, and then giving the detail of his miracles, this medicine is adopted as the cure of every infirmity.

BUT IS IT NOT STRANGE, THAT THE STATE SHOULD SUFFER THIS DESTRUCTIVE BREED; FOR SURELY THE PEOPLE, BLIND AND IGNORANT AS THEY ARE, OUGHT NOT TO BE ABANDONED TO THE PREY OF THESE IMPUDENT AND DANGEROUS MEN.—IF SOCIETY CLAIMS A RIGHT TO OPPOSE THE DESIGNS OF ANY INDIVIDUAL, WHO WISHES TO RENDER ANOTHER UNHAPPY, WHY SHOULD NOT SHE PRESERVE THE SAME PRIVILEGE, WHEN THE SAFETY OF A GREATER NUMBER OF HER MEMBERS BECOMES CONCERNED?—IF SOCIETY HAS SUCH A RIGHT, SHE IS SURELY BLAMEABLE FOR NOT EXERCISING IT.—THE SOVEREIGN WILL ALWAYS BE DISPOSED TO INCLINE A FAVOURABLE EAR TO REPRESENTATIONS WHICH MAY BE MADE TO HIM ON THIS SUBJECT.—THE COLLEGES OF

PHYSIC

PHYSIC OUGHT TO UNITE IN THE REFORMATION OF THESE ABUSES, BY REPRESENTING THEM TO THE LEGISLATURES.

The life of a negro slave is valued at an hundred pounds, and if we calculate the deaths occasioned by quack medicines, there is no difficulty to calculate the vast loss to the community by these *legal murderers** ;—I should give them too fair a title to call them only *purse-takers*.

THIS IMMENSE EVIL OUGHT THEN IMMEDIATELY TO BE CHECKED BY A PATERNAL LEGISLATURE, AND REWARDS GIVEN FOR ANY NOBLE DISCOVERIES IN MEDICINE; JUST AS AN ADEQUATE RECOMPENCE FROM PARLIAMENT WAS FORMERLY BESTOWED UPON MRS. STEVENS FOR HER SOLVENT, AND HAS BEEN GIVEN TO SOME OTHERS, WHERE PROPER APPLICATION HAS BEEN MADE, FOR EMINENT DISCOVERIES.

* The small annual sum these *wretches* pay, for their INDULGENCES surely can be no compensation to the loss sustained by the destruction of the lives of such a number of the community.—Besides it has been before argued that *get money* is no excuse for *mal-administration* in any government: even the impudence of quackery can have no answer, when the last paragraph of this section is attentively considered.

S E C T. XXXIV.

ON JUSTICE ADMINISTERED TO THE POOR.

THE *streams of justice*, which, like the vital blood, ought to flow through every part, carrying with them comfort and refreshment, alas ! are obstructed.—The disease in this country has increased to a most alarming degree, and has made some even doubt, whether a state of nature, where each man redresses his own wrong, is not preferable, to the middling class, to such a dreadful condition of civilized society.—My blood runs cold in my veins while I think of the expence and delay of law ; and that any free-born Briton should be situated, like hungry TANTALUS, with the food he longs for above his head, but unable to reach it *.—According to the prevailing

* The author of this work is convinced, that the present virtuous legislators of this country will soon remedy this evil : for never was there an age where the middling and lower classes were more considered, and wiser measures adopted.—The present evils complained of have grown out of these, and to find fault with them in any other way than to have them rectified, is like quarrelling with the sun for a few spots, or wishing to pull down St. Paul's, because a few cobwebs are attached to its windows.—The same may be said of every other section in this work ; the superstructure of our government is grand and noble, and the prying architect can only observe some few defects in the out pillars.

system of things in this country, says a learned magistrate*, if a person owes only 40s. an action for it may be brought, which if contested or defended, the expence, at the lowest computation, must be upwards of *fifty pounds!* Prudent men, under such circumstances, will forego a just claim upon another, or make up a false one upon themselves, as by far the least of two evils, in all cases where they come in contact with designing and bad people; and hence it is, that the worthless part of mankind, availing themselves in civil, as others do in criminal cases, of the imperfections of the law, forge these defects into a rod of oppression, either to defraud the honest part of the community of a just right, or to create fraudulent demands, where no right attaches; merely because those miscreants know that an *action at law*, even for 40s. cannot either be prosecuted or defended, without sinking three times the amount in law expences, besides the loss of time, which is still more valuable to men in business.

To convince the reader that this observation is not hazarded on weak grounds, and that the evil is so great as to cry aloud for a remedy, it is only necessary to state,

* Colquhoun.

that in the County of Middlesex alone, in the year 1793, the number of bailable writs and executions, for debts from ten to twenty pounds, amounted to no less than 5719 !

It will scarcely be credited, says Colquhoun, although it is most unquestionably true, that the mere costs of these actions, although made up, and not defended at all, amount to 68,728*l.*.—And if defended, the aggregate expence to recover 81,791*l.* must be—*(strange and incredible as it may appear)* no less than 285,950*l.*! being considerably more than three times the amount of the debts sued for !

THE MIND IS LOST IN ASTONISHMENT AT THE CONTEMPLATION OF A CIRCUMSTANCE, MARKING, IN SO STRONG A DEGREE, THE DEFICIENCY OF THIS IMPORTANT BRANCH OF THE JURISPRUDENCE OF OUR COUNTRY.

S E C T. XXXV.

OF SLAVERY.

THE property which some men have acquired over others in Guinea, is of very high antiquity.—It is generally established there, excepting in some small districts, where liberty hath, as it were, retired and is still maintained. No proprietor, however, has a right to sell a man who is born in a state of servitude. He can only dispose of those slaves whom he gets, whether by *war*, in which every prisoner is a slave unless exchanged, or *in lieu of compensation for some injury*; or if he hath received them as a *testimony of acknowledgment*. This law, which seems to be made in favour of one who is born a slave, to indulge him with the enjoyment of his family and of his country, is yet ineffectual, since the Europeans have established luxury on the coasts of Africa. It is every day eluded by concerted quarrels, which two proprietors mutually disseminate, in order to be reciprocally condemned, each in his turn, to a fine,

which is paid in persons born slaves, the disposal of whom is allowed by the sanction of the same law.

Corruption, contrary to its ordinary progress, hath advanced from private persons to ~~princes~~. The procuring of slaves hath given frequent occasion to ~~wars~~.—INJUSTICE hath known no bounds or restraints.—At a great distance from the coast, there are chiefs, who give orders for every thing they meet with in the villages around them to be carried off.—The children are thrown into sacks; the men and women are gagged to stifle their cries. If the ravagers are stopped by a superior force, they are conducted before the prince, who always disowns the commission he has given, and under pretence of doing justice, instantly sells his agents to the ships he has treated with.

Notwithstanding these infamous arts, the people of the coast have found it impossible to supply the demands of the merchants. They have experienced what every nation must, that can trade only with its nominal stock.—Slaves are to the commerce of Europeans in Africa, what gold is in the commerce we carry on in the New world.—The heads of negroes represent the stock of the state of Guinea.—Every day this stock

stock is carried off; and nothing is left them but articles of consumption.—Their capital gradually vanishes, because it cannot be renewed, by reason of the speedy consumptions.

In 1768, there were exported out of Africa, 104,108 slaves.—The English bought up 53,100 of them for their highlands; their colonists on the north continent 6,300; the French 23,500; the Dutch 11,300; the Portuguese 8,700; and the Danes 1,200.—All these unhappy men did not arrive at the place of their destination.—In the ordinary course of things, the eighth part at least must have perished in their passage.

In July 1783, the slave-ship, in which he was, arrived at Cape *La How*, on the Gold Coast of Africa. In the space of a week above *one hundred* prime slaves, *young, stout, and healthy*, were purchased. The competition, however, of the purchasers at *Annamaboe*, whither this ship afterwards sailed, ran so high, that the captain could not obtain more than two thirds of the usual complement. The slaves were confined below sixteen hours out of twenty-four, and permitted no exercise when upon deck. The rooms, where they were secured, are from *fiye to six* feet in height. These rooms are

are imperfectly aired by gratings above, and small fowndles in the side of the ship, which of course can be of little use at sea. The gratings are also half covered, when it blows hard, to keep out the salt spray. The temperature of these rooms was often above 96 of Fahrenheit's scale. In the evidence, of which this is an abstract, Dr. TROTTER affirms, he could never breathe there, unless under the hatchways. In such circumstances the sufferings of these poor creatures must have been dreadful. *I have often, says Dr. TROTTER, observed the slaves drawing their breath with all the laborious and anxious efforts for life, which are observed in expiring animals, subjected by experiment to foul air, or in the exhausted receiver of an air-pump.* *I have often seen them, when the tarpawlings have been inadvertently thrown over the gratings, attempting to heave them up, crying out in their own language, "We are suffocated."* *Many have I seen dead, who the night before have shewn no signs of the smallest indisposition; some also in a dying state, and if not brought up quickly upon the deck, irrecoverably lost.*

Hence, before the arrival of this vessel at ANTIGUA, out of 650 slaves more than 50 had died, and about 300 were tainted with the SEA SCURVY.

Dr. TROTTER declares, in his evidence before a select

left committee of the House of Commons, that the natives of these parts are sometimes slaves from crimes; but the greater part of the slaves are, what are called prisoners of war. Of his whole cargo he recollects only three criminals; two sold for adultery, and one for witchcraft, whose whole family shared his fate. One of the first said he had been decoyed by a woman who had told her husband, and he was sentenced to pay a slave; but being poor, was sold himself. The last said he had had a quarrel with a *cobusbeer* (or great man), who in revenge accused him of witchcraft, and sold him and his family for slaves.

Dr. TROTTER having often asked ACCRA, a principal trader at La How, what he meant by *prisoners of war*, found they were such as were carried off by a set of trepanners and kidnappers, who ravage the country for that purpose. The bush-men making war, to make trade (that is, to make slaves), was a common way of speaking among the traders. Having asked, What they did with their slaves when the nations, who traded for slaves with them, were at war with each other? was answered, That when ships ceased to come, slaves ceased to be taken. The practice was also confirmed by the slaves on board,

S E C T. XXXVI.

THE WRETCHED CONDITION OF SLAVES,

IN America it is generally believed and asserted, that the Africans are equally incapable of reason and of virtue.—The following well-authenticated fact will enable us to judge of this opinion.

An English ship that traded in Guinea in 1752, was obliged to leave the surgeon behind, whose bad state of health did not permit him to continue at sea.—MURRAY, for that was his name, was there endeavouring to recover his health, when a Dutch vessel drew near the coast, put the blacks in irons, whom curiosity had brought to the shore, and instantly sailed off with their booty.

Those who interested themselves for these unhappy people, incensed at so base a treachery, instantly ran to CUDJOC, who stopped them at his door, and asked them what they were in search of.—*The white man, who is with you, replied they, who should be put to death, be-*

cause his brethren have carried off ours.—The Europeans, answered the generous host, who have carried off our countrymen, are barbarians; kill them whenever you can find them.—But he who lodges with me is a good man, he is my friend; my house is his fortress; I am his soldier, and I will defend him.—Before you can get at him, you shall pass over my body.—O my friends, what just man would ever enter my doors, if I had suffered my habitation to be stained with the blood of an innocent man?—This discourse appeased the rage of the blacks: they retired ashamed of the design that had brought them there; and some days after acknowledged to MURRAY himself, how happy they were that they had not committed a crime, which would have occasioned them a perpetual remorse.

This event renders it probable, that the first impressions which the Africans receive in the New world, determine them either to good or bad actions.—Repeated experience confirms the truth of this observation: those who fall to the share of a humane master, willingly espouse his interests.—They insensibly adopt the spirit and manners of the place where they are fixed—This attachment is sometimes exalted even into heroism.—A Portuguese slave who had fled into the woods, having

learnt

learnt that his old master had been taken up for an assassination, came into the court of justice, and acknowledged himself guilty of the fact; let himself be put into prison in lieu of his master; brought false, though judicial, proofs of his pretended crime, and suffered death instead of the guilty person.—Actions of a less heroical nature, though not uncommon, have touched the hearts of some colonists.

But there are barbarians, who considering pity as a weakness, delight in making their dependents perpetually sensible of their tyranny.—They justly, however, receive their punishment in the negligence, infidelity, desertion, and suicide of the deplorable victims of their insatiable avarice.—Some of these unfortunate men, especially those of Mina, courageously put an end to their lives, under the firm persuasion, that they would immediately after death rise again in their own country, which they look upon as the finest in the world.—A vindictive spirit furnishes others with resources still more fatal.—Instructed from their infancy in the arts of poisons, which grow, as it were, under their hands, they employ them in the destruction of the cattle, the horses, the males, the companions of their slavery, and of every living thing employed in the cultivation of the lands of their oppressors.—In order to remove from themselves

all suspicion, they first exercise their cruelties on their wives, their children, their mistresses, and on every thing that is dearest to them.—In this dreadful project, which can only be the result of despair, they take the double pleasure of delivering their species from a yoke more dreadful than death, and of leaving their tyrant in a wretched state of misery, that is an image of their own condition.—The fear of punishment does not check them.—They are scarce ever known to have any kind of foresight; and they are, moreover, certain of concealing their crimes, being proof against tortures.—By means of one of those inexplicable contradictions of the human heart, though common to all people, whether civilized or not, negroes, though naturally cowards, give many instances of an unshaken firmness of soul.—The same organization which subjects them to servitude, from the indolence of their mind, and the relaxation of their fibres, inspires them with vigour and unparalleled resolution for extraordinary actions.—They are cowards all their life-time and heroes only for an instant.—One of these miserable men has been known to cut his wrist off with the stroke of a hatchet, rather than purchase his liberty, by submitting to the vile office of an executioner.

Nothing,

Nothing, however, is more miserable than the condition of a black, throughout the whole American Archipelago.—A narrow, unwholesome hut, without any conveniences, serves him for a dwelling.—His bed is a hurdle, fitter to put the body to torture than to afford it any ease.—Some earthen pots, and a few wooden dishes are his furniture.—The coarse linen which covers part of his body, neither secures him from the insupportable heats of the day, nor the dangerous dews of the night.—The food he is supplied with, is cassava, salt beef, cod, fruits and roots, which are scarce able to support his miserable existence.—Deprived of every enjoyment, he is condemned to a perpetual drudgery in a burning climate, constantly under the rod of an unfeeling master.

The condition of these slaves, though every where deplorable, is something different in the colonies.—Those who have very extensive estates, generally give them a portion of land, to supply them with the necessaries of life.—They are allowed to employ a part of the Sunday in cultivating it, and the few moments that on other days they spare from the time allotted for their meals.—In the smaller islands, the colonist himself furnishes their food, the greatest part of which hath been imported

by sea from other countries.—Ignorance, avarice, or poverty, have introduced into some colonies, a method of providing for the subsistence of negroes, equally destructive both to the men and the plantation.—They are allowed on Saturday, or some other day, to work in the neighbouring plantations, or to plunder them, in order to procure a maintenance for the rest of the week.

Besides these differences arising from the particular situation of the settlements in the American islands, each European nation hath a manner of treating slaves peculiar to itself.—The Spaniards make them the companions of their indolence ; the Portuguese, the instruments of their debauch ; the Dutch, the victims of their avarice ; the English, who easily derive their subsistence from their estates on the northern continent, are less attentive to the management of them than any other nations.—If they never promote inter-marriages among the blacks, they yet receive with kindness, as the gifts of nature, those children that are the produce of less restrained connexions, and seldom exact from the fathers or mothers a toil or a tribute above their strength.—Slaves by them, are considered merely as *natural productions*, which ought neither to be *used*, nor *destroyed without*

without necessity; but they never treat them with familiarity: they never smile upon them, nor *speak* to them. One would think they were afraid of letting them suspect, that nature could have given any one mark of resemblance betwixt them and their slaves.—This makes them hate the *English*.—The French, less haughty, less disdainful, consider the Africans as a species of moral beings; and these unhappy men, sensible of the honour of seeing themselves almost treated like rational creatures, seem to forget that their master is impatient of making his fortune, that he always exacts labours from them above their strength, and frequently lets them want subsistence.

S E C T. XXXVII.

IN WHAT MANNER THE CONDITION OF SLAVES
MIGHT BE RENDERED MORE SUPPORTABLE.

IF the vice of slavery must exist, the method of ameliorating its condition would be to attend to the natural and moral state of man.—Those who purchase blacks on the coasts of savage nations; those who convey them to America, and especially those who direct their labours, often think themselves obliged, from their situation, and frequently too for the sake of their own safety, to *oppress* these wretched men.—The soul of these managers of slaves, lost to all sense of compassion, is ignorant of every motive to enforce obedience, but those of *fear* or *severity*, and these they exercise with all the harshness of a temporary authority.—If the proprietors of plantations would cease to regard the care of their slaves, as an occupation below them, and consider it as an office to which it is their duty to attend, they would soon discard these errors that arise from a spirit of cruelty.—

The

The history of all mankind would shew them, that, in order to render slavery useful, it is, at least, necessary to make it easy; that force does not prevent the rebellion of the mind; that it is the master's interest that the slave should be attached to life, and that nothing is to be expected from him the moment that he no longer fears to die.

This principle of enlightened reason, derived from the sentiments of humanity, would contribute to the reformation of *several abuses*. Men would acknowledge the necessity of lodging, clothing, and giving proper food to beings condemned to the most painful bondage that ever has existed since the infamous origin of slavery. They would be sensible that it is naturally impossible that those who reap no advantage from their own labours, can have the same understanding, the same œconomy, the same activity, the same strength, as the man who enjoys the produce of his industry.—That political moderation would gradually take place, which consists in lessening of labour, alleviating punishment, and rendering to man part of his rights, in order to reap with greater certainty the benefit of those duties that are imposed upon him.—The preservation of a great number of slaves, whom disorders occasioned by

vexation or regret deprive the colonies of, would be the natural consequence of so wise a regulation.—Far from aggravating the yoke that oppresses them, every kind of attention should be given to make it easy, and to dissipate even the idea of it, by favouring a natural taste that seems peculiar to the negroes.

Their organs are extremely sensible of the powers of *music*.—Their ear is so true, that in their dances, the time of a song makes them spring up a hundred at once, striking the earth at the same instant.—Enchanted, as it were, with the voice of a singer, or the tone of a stringed instrument, a vibration of the air is the spirit that actuates all the bodies of these men: a sound agitates, transports, and throws them into ecstasies.—In their common labours, the motion of their arms, or of their feet, is always in cadence.—At all their employments they sing, and seem always as if they were dancing.—Music animates their courage, and rouses them from their indolence. The marks of this extreme sensibility to harmony are visible in all the muscles of their bodies, which are always naked.—Poets and musicians by nature, they make the words subservient to the music, by a licence they arbitrarily assume of lengthening or shortening them, in order to accommodate them to an air

air that pleases them.—Whenever any object or incident strikes a negro, he instantly makes it the subject of a song.—In all ages this has been the origin of poetry.—Three or four words, which are alternately repeated by the singer and the general chorus, sometimes constitute the whole poem.—Five or six bars of music compose the whole length of the song.—A circumstance that appears singular, is, that the same air, though merely a continual repetition of the same tones, takes entire possession of them, makes them work or dance for several hours: neither they, nor even the white men, are disgusted with that tedious uniformity which these repetitions might naturally occasion.—This particular attachment is owing to the warmth and expression which they introduce into their songs.—Their airs are generally double time.—None of them tend to inspire them with pride.—Those intended to excite tenderness, promote rather a kind of languor.—Even those which are most lively, carry in them a certain expression of melancholy.—This is the highest entertainment to minds of great sensibility.

So strong an inclination for music might become a powerful motive of action under the direction of skilful hands.—Festivals, games, and rewards, might on this ac-

count be established among them.—These amusements, conducted with judgment, would prevent that stupidity so common among slaves, ease their labours, and preserve them from that constant melancholy which consumes them, and shortens their days.

After having provided for the preservation of the blacks exported from Africa, the welfare of those who are born in the islands themselves would then be considered.—The negroes are not averse from the propagation of their species even in the chains of slavery.—But it is the cruelty of the masters which hath effectually prevented them from complying with this great end of nature. Such hard labour is required from negro women, both before and after their pregnancy, that their children are either abortive, or live but a short time after delivery.—Mothers, rendered desperate by the punishments which the weakness of their condition occasions them, snatch sometimes their children from the cradle, in order to strangle them in their arms, and sacrifice them with a fury mingled with a spirit of revenge and compassion, that they may not become the property of their cruel masters. This barbarity, the horror of which must be wholly imputed to the Europeans, will, perhaps, convince them of their error.

Their

Their sensibility will be roused, and engage them to pay a greater attention to their true interests. They will find that by committing such outrages against humanity, they injure themselves; and if they do not become the benefactors of their slaves, they will at least cease to be their executioners.

They will, perhaps, resolve to set free those mothers who shall have brought up a considerable number of children to the age of six years. The allurements of liberty are the most powerful that can influence the human heart. The negro woman, animated by the hope of so great a blessing, to which all would aspire, and few would be able to obtain, would make neglect and infamy be succeeded by a virtuous emulation to bring up children, whose number and preservation would secure to them freedom and tranquillity.

After having taken wise measures not to deprive their plantations of those succours arising from the extraordinary fruitfulness of the negro women; they will attend to the care of conducting and extending cultivation by means of population, and without foreign expedients. Every thing invites them to establish this easy and natural system.

There are some powers, whose settlements in the

American isles every day acquire extent, and there are none whose manual labour does not continually increase. These lands, therefore, constantly require a greater number of hands to clear them. Africa, where all Europeans go to recruit the population of the colonies, gradually furnishes them with fewer men, and supplies them at the same time with worse slaves and at a higher price.—This source for the obtaining slaves will be gradually more and more exhausted.—But were this change in trade as chimerical, as it seems to be not far distant, it is nevertheless certain that a great number of slaves, drawn out of a remote region, perish in their passage, or in the New world; and that when they come to America they are sold at a very advanced price; that there are few of them whose natural term of life is not shortened; and that the greater part of those who attain a wretched old age, are extremely ignorant, and being accustomed from their infancy to idleness, are frequently very unfit for the employments to which they are destined, and are in a continual state of *despondency*, on account of their being separated from their country. If we are not mistaken in our opinion, cultivators born in the American islands themselves, always breathing their native air, brought up without any other expence than

than what consists in a cheap food, habituated in early life to labour by their own parents, endowed with a sufficient share of understanding, or a singular aptitude for all the useful arts; such cultivators cannot but be preferable to slaves that have been sold and live in a perpetual exile and restraint.

The method of substituting in the place of *foreign negroes* those of the *colonies themselves*, is very obvious. It wholly consists in superintending the black children that are born in the islands, in confining to their work-houses that multitude of slaves who carry about with them their worthlessness, their licentiousness, and the luxury and insolence of their masters, in all the towns and ports of Europe; but, above all, in requiring of navigators who frequent the African coasts, that they should form their cargo of an equal number of men and women, or even of a majority of women, during some years, in order to reduce that disproportion which obtains betwixt the two sexes.

This last precaution, by putting the pleasures of love within the reach of all the blacks, would contribute to their ease and multiplication. These unhappy men, forgetting the weight of their chains, would with transport see themselves live again in their children. The majority

majority of them are faithful, even to death, to those negro women whom love and slavery have assigned to them for their companions; they treat them with that compassion which the wretched mutually derive from one another even in the rigour of their condition; they comfort them under the load of their employments; they sympathize, at least, with them, when, through excess of labour, or want of food, the mother can only offer her child a breast that is dry, or bathed in her tears. The women, on their part, though tied down to no restrictions of chastity, are fixed in their attachments; provided that the vanity of being beloved by white people does not render them inconstant. Unhappily this is a temptation to infidelity, to which they have too often opportunities to yield.

Those who have inquired into the causes of this taste for black women, which appears to be so depraved in the Europeans, have found it to arise from the nature of the climate, which under the torrid zone irresistibly excites men to the pleasures of love; the facility of gratifying this insurmountable inclination without restraint, and without the trouble of a long pursuit; from a certain captivating attraction of beauty, discoverable in black women, as soon as custom hath once reconciled the eye

to

to their colour; but principally from a warmth of constitution, which gives them the power of inspiring and returning the most ardent transports. Thus they revenge themselves, as it were, for the humiliating despondence of their condition, by the violent and immoderate passions which they excite in their masters; nor do our ladies, in Europe, possess in a more exalted degree the art of waiting and running out large fortunes than the negro women. But those of Africa have the superiority over those of Europe, in the real passion they have for the men who purchase them. The happy discovery and prevention of conspiracies that would have destroyed all their oppressors by the hands of their slaves, hath been often owing to the faithful attachment of these negro women. The double tyranny of these unworthy usurpers of the estates and liberty of such a number of people, deserved, doubtless, such a punishment.

S E C T. XXXVIII.

SLAVERY IS ENTIRELY REPUGNANT TO HUMANITY, REASON, AND JUSTICE.

WE will not here so far debase ourselves as to enlarge the ignominious list of those writers who devote their abilities to justify by *policy* what *morality condemns*.—In an age where so many *errors* are boldly laid open, it would be unpardonable to conceal any *truth* that is interesting to humanity.—If whatever we have hitherto advanced hath seemingly tended only to alleviate the burden of slavery, the reason is, that it was first necessary to give some comfort to those unhappy beings whom we cannot set free; and convince their oppressors that *they are cruel to the prejudice of their real interests*. But, in the mean time, until some considerable revolution shall make the evidence of this great truth felt, it may not be improper to pursue this object further.—We shall then first prove, that there is no reason of state that can *authorise* slavery.—We shall

not

not be afraid to cite to the tribunal of reason and justice those governments which tolerate this cruelty, or which even are not ashamed to make it the basis of their influence.

MONTESQUIEU could not prevail on himself to treat the question concerning slavery in a serious light.—In reality it is degrading reason to employ it, I will not say in defending, but in refuting an abuse so repugnant to it.—Whoever justifies so odious a system, deserves the utmost contempt from a philosopher, and from the negro a stab with his dagger.

If you touch me, said CLARISSA to LOVELACE, that moment I kill myself; I would say to him, who attempted to deprive me of my liberty, If you approach me, I will stab you.—In this case, I should reason better than CLARISSA; because, defending my liberty, or, which is the same thing, my life, for life cannot be enjoyed without it, is my primary duty; to regard that of another, is only a secondary consideration; and if all other circumstances were the same, the death of a criminal is more conformable to justice than that of an innocent person.

Will it be said, that he who wants to make me a slave does me no injury, but that he only makes use of

his rights?—Where are those rights?—Who hath stamped upon them so sacred a character as to silence mine?—From NATURE I hold the right of self-defence; NATURE, therefore, has not given to another the right of attacking me.—If thou thinkest thyself authorised to oppress me, because thou art stronger and more ingenious than I am; do not complain if my vigorous arm shall plunge a dagger into thy breast; do not complain, when in thy tortured entrails thou shalt feel the pangs of death conveyed by poison into thy food: I am stronger and more ingenious than thou: fall a victim, therefore, in thy turn; and expiate the crime of having been an oppressor.

He who supports the system of slavery is the enemy of the whole human race.—He divides it into two societies of legal assassins; the oppressors and the oppressed.—It is the same thing as proclaiming to the world, if you would preserve your life, instantly take away mine, for I want to have yours.

But the right of slavery, you say, extends only to the right of labour and the privation of liberty, not of life.—What! does not the master, who disposes of my strength at his pleasure, likewise dispose of my life, which depends on the voluntary and proper use of my faculties?—What is existence to him, who has not the disposal

disposal of it?—I CANNOT KILL MY SLAVE; but I can make him bleed under the whip of an executioner, I can overwhelm him with sorrows, drudgery and want; I can injure him every way, and secretly undermine the principles and springs of his life; I can smother, by slow punishments, the wretched infant which a negro woman carries in her womb.—Thus the law protects the slave against a violent death, only to leave to my cruelty the right of making him die by inches.

Let us proceed a step further: the right of slavery is that of perpetrating all sorts of crimes: those crimes which invade property; for slaves are not suffered to have any even in their own persons: those crimes which destroy personal safety: for the slaves may be sacrificed to the caprice of his master: those crimes which make modesty shudder.—My blood rises at these horrid images.—I detest, I abhor such beings, victims and executioners;—and can our laws sanction such crimes?

Ye bands of Senators, whose suffrage sways
 Britannia's realms, whom either Ind obeys,
 Who right the injured, and reward the brave,
 Stretch your strong arm, for ye have power to save.
 Thron'd in the vaulted heart, his dread resort,
 Inexorable conscience holds his court,
 With still small voice the plot of guilt alarms,
 Bares his marked brow, his lifted hand disarms;

But,

But, wrapt in night, wi-
He speaks in thunder, to
Hear him, ye Senators!

HE WHO ALLOWS OF

Further, that I may dis-
timents on this subject—
man, sitting at the foot of
lating the profit and losses of
pay of his associates, and ad-
proportion and distributive
not a very different charact-
the slave-ship, who reclined
in his hand, settles the num-
order to be made on the co-
rately examines how many
him, in order to support
him with slaves; how n
him aboard, how many wh
much each drop of blood
which each negro will wat-
women will contribute mo
of her hands, or by those
think you of this parallel
you and takes your money

your person.—The ~~one~~ invades the rights of society, the ~~other~~, those of nature.—This certainly is the truth ; and if there existed a legislature which authorised, which tolerated, even by its silence, such enormities ; if, moreover, occupied by idle or factious questions, it did not eternally denounce vengeance against the authors or instruments of this tyranny ; if it made it criminal for a slave to break his bonds ; if it did not expel the unjust judge who condemns the fugitive to death ; if such a state existed, its ministers deserve * * * * * * * * * *.

But these negroes, say they, are a race of men born for slavery ; their dispositions are narrow, treacherous, and wicked ; they themselves allow the superiority of our understandings, and almost acknowledge the justice of our authority.

The minds of the negroes are contracted ; because slavery destroys all the springs of the soul.—They are wicked ; but not sufficiently so with you.—They are treacherous, because they are under no obligation to speak truth to their tyrants.—They acknowledge the superiority of their understandings ; because we have abused their weakness.—I might as well say, that the Indians are a species of men born to be crushed to death ;

death ; because there are fanatics among them, who throw themselves under the wheels of their idol's car before the temple of Jaguernat.

But these negroes, it is further urged, were born slaves.—Barbarians, will you persuade me, that a man can be the property of a sovereign, a son the property of a father, a wife the property of her husband, a domestic the property of a master, a negro the property of a planter ?

But these slaves have sold themselves.—Could a man ever by compact, or by an oath, permit another to use and abuse him ?—If he assented to this compact, or confirmed it by an oath, it was in a transport of ignorance or folly ; and he is released from it, the moment that he either knows himself, or his reason returns.

But they had been taken in war.—What does this signify to you ?—Suffer the conqueror to make what ill use he pleases of his own victory.—Why do you make yourselves his accomplices.

But they were criminals condemned in their country to slavery.—Who was it that condemned them ?—Do you not know, that in a despotic state there is no criminal but the tyrant.

Dr.

LET US, THEREFORE, ENDEAVOUR TO MAKE THE LIGHT OF REASON AND THE SENTIMENTS OF NATURE TAKE PLACE OF THE BLIND FEROCITY OF OUR ANCESTORS.—LET US BREAK THE BONDS OF SO MANY VICTIMS OF OUR MERCENARY PRINCIPLES, SHOULD WE EVEN BE OBLIGED TO DISCARD A COMMERCE WHICH IS FOUNDED ONLY ON INJUSTICE, AND WHOSE OBJECT IS LUXURY.

But even this is not necessary.—There is no occasion to give up those conveniences which custom hath so much endeared to us.—We may draw them from our colonies, without peopling them with slaves.—These productions may be cultivated by the hands of *freemen*, and then be reaped without remorse.

The islands may be filled with blacks, whose fetters have been broken. They will successively clear the small plantations given them, or which they have acquired by their industry.—Such of these unhappy men, as should recover their independence, would live in quiet upon the same manual labours, that would be then free and advantageous to them.—The vassals of Denmark, who have lately been made free, have not abandoned their ploughs.

Is it then apprehended, that the facility of acquiring subsistence without labour on a soil naturally fertile, and of dispensing with the want of clothes, would plunge these men in idleness?—Why then do not the inhabitants of Europe confine themselves to such labours as are of indispensable necessity?—Why do they exhaust their powers in laborious employments which tend only to the sensual gratifications of a frivolous imagination?—There are amongst us a thousand professions, some more laborious than others, which owe their origin to our institutions.—Human laws have given rise to a variety of fictitious wants, which otherwise would never have had an existence.—By disposing of every species of property according to their capricious institutions, they have subjected an infinite number of people to the imperious will of their fellow-creatures, so far as even to make them empty our purse for subsistence.—We have amongst us beings, formed like ourselves, who have consented to inter themselves under mountains, to furnish us with metals and with copper, perhaps to poison us: why do we imagine that the negroes are less dupes and less foolish than the Europeans?

At the time that we gradually confer liberty on these unhappy beings as a reward for their œconomy, their good

good behaviour, and their industry, we must be careful to subject them to our laws and manners, and to offer them our superfluities.—We must give them a country, give them interests to study, productions to cultivate, and an object adequate to their respective tastes, and our colonies will never want hands, which being eased of their chains, will be more active and robust.

The slave-trade has been prohibited by our legislature.—Slavery, it is probable, will also soon be abolished in our islands, by the same active benevolence of the best of men.—The whole country offer up their prayers for the success of his laudable endeavour; and the universe must ever admire that patriot who has, with infinite perseverance and difficulty, always struggled to promote the welfare and happiness of the human race.

How beautifully does COWPER express himself on this subject—

I would not have a slave to till my ground,
To carry me, to fan me while I sleep,
And *tremble* when I wake, for all the wealth
That finews bought and sold have ever earn'd.
No: dear as freedom is, and in my heart's
Just estimation priz'd above all price,
I had much rather be myself the slave,
And wear the bonds, than fasten them on him.

WE HAVE NO SLAVES AT HOME, THEN WHY ABROAD?
AND THEY THEMSELVES ONCE FERRIED O'ER THE WAVE
THAT PARTS US, ARE EMANCIPATE AND LOOS'D.
SLAVES CANNOT BREATHE IN ENGLAND; IF THEIR LUNGS
RECEIVE OUR AIR, THAT MOMENT THEY ARE FREE;—
THEY TOUCH OUR COUNTRY, AND THEIR SHACKLES FALL.
THAT'S NOBLE, AND BEspeaks A NATION PROUD
AND JEALOUS OF THE BLESSING. SPREAD IT THEN,
AND LET IT CIRCULATE THROUGH EV'R Y VEIN
OF ALL YOUR EMPIRE, THAT WHERE BRITAIN'S POWER
IS FELT, MANKIND MAY FEEL HER MERCY TOO.

Thanks be to God, through the perseverance of Mr.
WILBERFORCE, this blot has been wiped away from
the annals of our country.

THE END.

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